

JOURNAL of THE SENATE State of West Virginia

EIGHTY-SEVENTH LEGISLATURE

Regular Sixty-Day Session, 2025

VOLUME III



NOTE: The third volume continues with Journal proceedings proper (page 2215) of April 11 through April 12, the date of final adjournment; followed by the Appendix consisting of remarks of members during the Regular Session, 2025; a Topical Index of all Senate bills introduced; and the Index of the Official Journal.

The nays were: Azinger, Hart, Martin, Maynard, Roberts, Rose, and Taylor—7.

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 H. B. 2054) takes effect from passage.

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

Eng. House Bill 2575, Relating to the establishment of a full-time Dementia Services Director position.

On third reading, coming up in regular order, was read a third time 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. 2575) passed with its title.

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

Eng. Com. Sub. for House Bill 2634, To double the criminal penalty for anyone found guilty of sexual assault on a minor.

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. 2634) passed.

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

Eng. Com. Sub. for House Bill 2634—A Bill to amend and reenact §61-8B-5, §61-8B-9, §61-8D-5 and §61-8D-6 of the Code of West Virginia, 1931, as amended; relating to increasing the criminal penalties for the offenses of sexual assault in the third degree, sexual abuse in the third degree, and for sending, distributing, exhibiting, possessing, displaying, or transporting material by a parent, guardian, or custodian, or person in a position of trust, depicting a child engaged in sexually explicit conduct, and increasing the criminal penalty for and adding attempt to the offense of sexual abuse by a parent, guardian, custodian, or person in a position of trust to a child.

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

Eng. Com. Sub. for House Bill 2695, Raleigh and Mason Counties Economic Opportunity Development Districts.

On third reading, coming up in regular order, with the unreported Economic Development committee amendment pending, and with the right having been granted on yesterday, Thursday, April 10, 2025, for further amendments to be received on third reading, was reported by the Clerk.

At the request of Senator Martin, and by unanimous consent, further consideration of the bill was deferred until consideration of Engrossed House Bill 3492, on today's third reading calendar, has been concluded.

Eng. Com. Sub. for House Bill 2718, Relating to creating a State Advisory Council on Establishing a Military College.

On third reading, coming up in regular order, with the right having been granted on yesterday, Thursday, April 10, 2025, for amendments to be received on third reading, was read a third time.

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

On page 2, section 12, line 20, after the word "Governor", by changing the period to a comma and inserting the words "by and with the advice and consent of the Senate."

On motion of Senator Weld, the following amendments to the bill (Eng. Com. Sub. for H. B. 2718) were next reported by the Clerk, considered simultaneously, and adopted:

On page 2, section 12, line 23, after the word "following" by striking out the word "three" and inserting in lieu thereof the word "four";

And,

On page 2, section 12, line 25, after the word "designee;" by striking out the word "and";

And,

On page 2, section 12, line 26, after the word "designee" by inserting the following: "; and (4) A representative of a West Virginia, private, not-for-profit higher education institution."

Engrossed Committee Substitute for House Bill 2718, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, 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. 2718) passed with its title.

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

Eng. House Bill 2802, Relating to in-service training credits for law-enforcement officers.

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. 2802) 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 2836, Relating to wild animal rehabilitation permits.

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 House Bill 2836 pass?"

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

The nays were: Chapman, Rucker, and Thorne—3.

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. 2836) 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 2961, To amend the law concerning ownership and possession of real property.

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. 2961) passed.

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

Eng. Com. Sub. for House Bill 2961—A Bill to amend the Code of West Virginia, 1931, as amended by adding a new article, designated §37-3A-1, §37-3A-2, §37-3A-3, §37-3A-4, and §37-3A-5, relating to prohibiting ownership and possession of real property by foreign adversaries; providing definitions; prohibiting the People's Republic of China and its citizens who are not resident aliens or citizens of the United States from acquiring, owning, or transferring any real estate or mineral interests in West Virginia; prohibiting foreign governments, entities, and individuals that have been identified by a majority of Governor, Treasurer, Agriculture Commissioner, Auditor, Attorney General, and Secretary of State, in consultation with the Secretary of Homeland Security, as hostile to the interests of the United States or the State of West Virginia from owning real estate or mineral interests in the state; providing Governor with tie-breaking vote; requiring forbidden entities that own real estate on effective date of article to divest within six months; requiring prohibited businesses that acquire property in violation of article to divest that property within six months; designating judicial sale process to force sale of illegally owned real estate; requiring notice of judicial sale; and establishing good faith protections.

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

Eng. Com. Sub. for House Bill 2963, To ensure that the survivor of a merger, reorganization, purchase, or assumption of liabilities of a bank chartered by West Virginia is insured by the Federal Deposit Insurance Corporation.

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 a West Virginia chartered community bank.

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, 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. 2963) 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 3014, Relating generally to liability of hospital police.

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. 3014) 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 3016, Photo voter ID.

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, Willis, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia and Woelfel—2.

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. 3016) passed.

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

Eng. Com. Sub. for House Bill 3016—A Bill to amend and reenact §3-1-34 of the Code of West Virginia, 1931, as amended, all relating to identification required for voting; modifying the types of valid identifying documents by requiring a photograph on the identification presented by the voter; providing exception to

requirement that valid identifying document contain photograph; eliminating certain types of identification as a valid identifying document for purposes of voting; and permitting use of an expired identifying document under certain circumstances.

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

Eng. Com. Sub. for House Bill 3111, To provide pay increases to members of the judiciary.

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. 3111) passed.

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

Eng. Com. Sub. for House Bill 3111—A Bill to amend and reenact §51-1-10a, §51-2-13, §51-2A-6, §51-9-4, §51-9-6, §51-9-6a, §51-9-6b, and §51-11-11 of the Code of West Virginia, 1931, as amended; and to repeal §51-9-6c and §51-9-6d of said code, relating to salaries and retirement benefits of judges; increasing annual salary of justices of the Supreme Court of Appeals, circuit court judges, family court judges, and judges of the Intermediate Court of Appeals; suspending contribution of courts into judicial retirement system until certain condition met; providing for retirees

under post-2005 retirement system to be treated as pre-2005 retirement system retirees; providing for actuarially reduced pension benefit for judges in certain circumstances; increasing surviving spouse plan benefit for certain judges; eliminating limitation on retirement benefit increases; and eliminating distinction between certain judges for purposes of calculating surviving spouse plan benefits, surviving dependent children plan benefits, and adjusted annual retirement benefit.

Senator Martin moved that the bill take effect July 1, 2025.

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 H. B. 3111) takes effect July 1, 2025.

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

Eng. Com. Sub. for House Bill 3125, To remove restrictions from teachers receiving permanent teaching licenses.

On third reading, coming up in regular order, with the right having been granted on yesterday, Thursday, April 10, 2025, for amendments to be received on third reading, 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 second reading calendar, following consideration

of Engrossed Committee Substitute for House Bill 2014, already placed in that position.

Eng. House Bill 3162, Providing that causes of action under Chapter 46A of the Code of West Virginia survive the death of the party.

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 House Bill 3162 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, 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. 3162) passed with its title.

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

Eng. Com. Sub. for House Bill 3174, Requiring municipalities take actions when potential customers apply for water and sewer service.

On third reading, coming up in regular order, with the Finance committee amendment pending, and with the right having been granted on yesterday, Thursday, April 10, 2025, for other amendments to be received on third reading, was read a third time.

At the request of Senator Barrett, as chair of the Committee on Finance, and by unanimous consent, the Finance committee amendment to the bill (*shown in the Senate Journal of yesterday, Thursday, April 10, 2025, pages 2098 to 2116, inclusive*) was withdrawn.

On motion of Senator Barrett, 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:

CHAPTER 8. MUNICIPAL CORPORATIONS.

ARTICLE 19. MUNICIPAL AND COUNTY WATERWORKS AND ELECTRIC POWER SYSTEMS.

PART V. GRANTS, LOANS, ADVANCES AND AGREEMENTS; CUMULATIVE AUTHORITY.

§8-19-17. Grants, loans, advances and agreements.

(a) As an alternative to, or in conjunction with, the issuance of revenue bonds authorized by this article, any municipality or county commission is hereby empowered and authorized to accept loans or grants and procure loans or temporary advances evidenced by notes or other negotiable instruments issued in the manner, and subject to the privileges and limitations, set forth with respect to bonds authorized to be issued under the provisions of this article, or otherwise enter into agreement, including, but not limited to, agreements of indemnity, assurance or guarantee with respect to, and for the purpose of financing part or all of, the cost of acquisition, construction, establishment, extension or equipment of waterworks or electric power systems and the construction of additions, betterments and improvements to existing waterworks systems or to existing electric power systems, and for the other purposes herein authorized, from or with any authorized agency of the state or from the United States of America or any federal or public agency or department of the United States or any private agency, corporation or individual, which loans or temporary advances, including the interest thereon, or the municipality's or county's financial obligations contained in such other agreements,

which need not bear interest, may be repaid out of the proceeds of bonds authorized to be issued under the provisions of this article, the revenues of or proceeds from the said waterworks system or electric power system or grants to the municipality or county commission from any agency of the state or from the United States of America or any federal or public agency or department of the United States or any private agency, corporation or individual or from any combination of such sources of payment, and may be secured in the manner provided in §8-19-8, §8-19-9, and §8-19-16 of this article to secure bonds issued under the provisions of this article, but shall not otherwise be subject to the requirements of §8-19-11 and §8-19-12 of this article, and to enter into the necessary contracts and agreements to carry out the purposes hereof with any agency of the state, the United States of America or any federal or public agency or department of the United States, or with any private agency, corporation or individual.

In no event shall any such loan or temporary advance or agreement be a general obligation of the municipality or county and such loans or temporary advances or agreements, including the interest thereon, shall be paid solely from the sources specified in this section.

(b) When potential customers apply for water or sewer service from the municipality, the municipality must determine the cost of the extension and the customer cost responsibility for the cost of the extension (customer share) in accordance with rules of the Public Service Commission. Once the cost and customer share are determined, if those potential customers wish to continue, and they, or any person or entity desiring to do so, provide an up-front customer contribution for the customer share of the extension costs, then the municipality shall extend service pursuant to the rules of the Public Service Commission. If, before continuing with the extension, the potential customers request that the municipality make application for grant funds to finance the total costs of the extension, then the potential customers, or any person or entity desiring to do so, must provide funds to cover the cost of the application, and, once provided, the municipality shall then apply

through the West Virginia Infrastructure and Jobs Development Council for any available funding.

(c) Notwithstanding any other provisions of this code to the contrary, if a grant or grants are awarded that cover the total costs for a project to extend service to unserved potential customers, the municipality is required to extend service to said potential customers after the potential customers have paid any required fees, including their required contributions. Grant funds shall be used to reimburse the potential customers or any other person or entity who were contributors for any front contributions, including, but not limited to, the cost of the application, in accordance with the rules of the Public Service Commission, including the rule that reimbursements will not exceed the original amount of the customer contribution.

ARTICLE 20. COMBINED SYSTEMS.

§8-20-16. Grants, loans and advances.

(a) Any municipality is hereby empowered and authorized to accept loans or grants and procure loans or temporary advances evidenced by notes or other negotiable instruments issued in the manner, and subject to the privileges and limitations, set forth with respect to bonds authorized to be issued under the provisions of this article, for the purpose of paying part or all of the cost of acquisition, construction, establishment, extension, or equipment of combined systems and the construction of additions, betterments, and improvements thereto, and for the other purposes herein authorized, from any authorized agency of the state or from the United States of America or any federal or public agency or department of the United States or any private agency, corporation or individual, which loans or temporary advances, including the interest thereon, may be repaid out of the proceeds of bonds authorized to be issued under the provisions of this article, the revenues of the said combined system or grants to the municipality from any agency of the state or from the United States of America or any federal or public agency or department of the United States or any private agency, corporation or individual or from any combination of such sources of payment, and to enter into the

necessary contracts and agreements to carry out the purposes hereof with any agency of the state, the United States of America or any federal or public agency or department of the United States, or with any private agency, corporation or individual. Any other provisions of this article notwithstanding, interest on any loans or temporary advances may be paid from the proceeds thereof until the maturity of the notes or other negotiable instrument.

In no event shall any loan or temporary advance be a general obligation of the municipality and the loans or temporary advances, including the interest thereon, shall be paid solely from the sources specified in this section.

(b) When potential customers apply for water or sewer service from the municipality, the municipality must determine the cost of the extension and the customer cost responsibility for the cost of the extension (customer share) in accordance with rules of the Public Service Commission. Once the cost and customer share are determined, if those potential customers wish to continue, and they, or any person or entity desiring to do so, provide an up-front customer contribution for the customer share of the extension costs, then the municipality shall extend service pursuant to the rules of the Public Service Commission. If, before continuing with the extension, the potential customers request that the municipality make application for grant funds to finance the total costs of the extension, then the potential customers, or any person or entity desiring to do so, must provide funds to cover the cost of the application, and, once provided, the municipality shall then apply through the West Virginia Infrastructure and Jobs Development Council for any available funding.

(c) Notwithstanding any other provisions of this code to the contrary, if a grant or grants are awarded that cover the total costs for a project to extend service to unserved potential customers, the municipality is required to extend service to said potential customers after the potential customers have paid any required fees, including their required contributions. Grant funds shall be used to reimburse the potential customers or any other person or entity who were contributors for any front contributions, including, but not limited to, the cost of the application, in accordance with

the rules of the Public Service Commission, including the rule that reimbursements will not exceed the original amount of the customer contribution.

CHAPTER 16. PUBLIC HEALTH.

ARTICLE 1. STATE PUBLIC HEALTH SYSTEM.

§16-1-4. Proposal of rules by the secretary.

(a) The secretary may propose legislative rules in accordance with the provisions of §29A-3-1 *et seq.* of this code that include:

(1) Land usage endangering the public health: *Provided*, That no rules may be promulgated or enforced restricting the subdivision or development of any parcel of land within which the individual tracts, lots, or parcels exceed two acres each in total surface area and which individual tracts, lots, or parcels have an average frontage of not less than 150 feet even though the total surface area of the tract, lot, or parcel equals or exceeds two acres in total surface area, and which tracts are sold, leased, or utilized only as single-family dwelling units. Notwithstanding the provisions of this subsection, nothing in this section may be construed to abate the authority of the department to:

(A) Restrict the subdivision or development of a tract for any more intense or higher density occupancy than a single-family dwelling unit;

(B) Propose or enforce rules applicable to single-family dwelling units for single-family dwelling unit sanitary sewerage disposal systems; or

(C) Restrict any subdivision or development which might endanger the public health, the sanitary condition of streams, or sources of water supply.

(2) The sanitary condition of all institutions and schools, whether public or private, public conveyances, dairies, slaughterhouses, workshops, factories, labor camps, all other places open to the general public and inviting public patronage or

public assembly, or tendering to the public any item for human consumption and places where trades or industries are conducted;

(3) Occupational and industrial health hazards, the sanitary conditions of streams, sources of water supply, sewerage facilities, and plumbing systems and the qualifications of personnel connected with any of those facilities, without regard to whether the supplies or systems are publicly or privately owned; and the design of all water systems, plumbing systems, sewerage systems, sewage treatment plants, excreta disposal methods, and swimming pools in this state, whether publicly or privately owned-: Provided, however, That the secretary may not promulgate rules that require a public water supply system or business to have backflow prevention assemblies inspected more frequently than once in three years for a low-hazard system, which is defined as a hazard that could cause aesthetic problems or have a detrimental secondary effect on the quality of the public potable water supply. A high-hazard system, which is defined as a hazard that is conducive to the introduction of waterborne disease organisms, or harmful chemical, physical, or radioactive substances into a public water system, and that presents an unreasonable risk to health, shall be inspected annually.

(4) Safe drinking water, including:

(A) The maximum contaminant levels to which all public water systems must conform in order to prevent adverse effects on the health of individuals and, if appropriate, treatment techniques that reduce the contaminant or contaminants to a level which will not adversely affect the health of the consumer. The rule shall contain provisions to protect and prevent contamination of wellheads and well fields used by public water supplies so that contaminants do not reach a level that would adversely affect the health of the consumer;

(B) The minimum requirements for: sampling and testing; system operation; public notification by a public water system on being granted a variance or exemption, or upon failure to comply with specific requirements of this section and rules promulgated under this section; record keeping; laboratory certification; as well

as procedures and conditions for granting variances and exemptions to public water systems from state public water systems rules; and

(C) The requirements covering the production and distribution of bottled drinking water and may establish requirements governing the taste, odor, appearance, and other consumer acceptability parameters of drinking water;

(5) Food and drug standards, including cleanliness, proscription of additives, proscription of sale, and other requirements in accordance with §16-7-1 *et seq.* of this code as are necessary to protect the health of the citizens of this state;

(6) The training and examination requirements for emergency medical service attendants and emergency medical care technician-paramedics; the designation of the health care facilities, health care services, and the industries and occupations in the state that must have emergency medical service attendants and emergency medical care technician-paramedics employed, and the availability, communications and equipment requirements with respect to emergency medical service attendants and to emergency medical care technician-paramedics. Any regulation of emergency medical service attendants and emergency medical care technician-paramedics may not exceed the provisions of §16-4C-1 *et seq.* of this code;

(7) The health and sanitary conditions of establishments commonly referred to as bed and breakfast inns. For purposes of this article, "bed and breakfast inn" means an establishment providing sleeping accommodations and, at a minimum, a breakfast for a fee. The secretary may not require an owner of a bed and breakfast providing sleeping accommodations of six or fewer rooms to install a restaurant-style or commercial food service facility. The secretary may not require an owner of a bed and breakfast providing sleeping accommodations of more than six rooms to install a restaurant-type or commercial food service facility if the entire bed and breakfast inn or those rooms numbering above six are used on an aggregate of two weeks or less per year;

(8) Fees for services provided by the Bureau for Public Health including, but not limited to, laboratory service fees, environmental health service fees, health facility fees, and permit fees;

(9) The collection of data on health status, the health system, and the costs of health care;

(10) The distribution of state aid to local health departments and basic public health services funds in accordance with:

(A) Base allocation amount for each county;

(B) Establishment and administration of an emergency fund of no more than two percent of the total annual funds of which unused amounts are to be distributed back to local boards of health at the end of each fiscal year;

(C) A calculation of funds utilized for state support of local health departments;

(D) Distribution of remaining funds on a per capita weighted population approach which factors coefficients for poverty, health status, population density, and health department interventions for each county and a coefficient which encourages counties to merge in the provision of public health services; and

(E) The provisions of this subdivision are in effect until the performance standard funding formula is created and established by legislative rule.

(b) The secretary shall not review any repair or modernization of equipment at a public pool facility as long as such activity does not change the scope of the facility or its current use and such activity does not exceed \$25,000 in planned cost.

§16-1-9a. Regulation of public water systems.

(a) The ~~commissioner~~ secretary shall regulate public water systems as prescribed in this section.

(b) The ~~commissioner~~ secretary shall establish by legislative rule, in accordance with §29A-3-1 *et seq.* of this code:

(1) The maximum contaminant levels to which all public water systems shall conform in order to prevent adverse effects on the health of individuals;

(2) Treatment techniques that reduce the contaminant or contaminants to a level which will not adversely affect the health of the consumer;

(3) Provisions to protect and prevent contamination of wellheads and well fields used by public water supplies so that contaminants do not reach a level that would adversely affect the health of the consumer;

(4) Minimum requirements for:

(A) Sampling and testing;

(B) System operation;

(C) Public notification by a public water system on being granted a variance or exemption or upon failure to comply with specific requirements of this section and regulations promulgated under this section;

(D) Recordkeeping;

(E) Laboratory certification; and

(F) Procedures and conditions for granting variances and exemptions to public water systems from state public water systems' regulations;

(5) Requirements covering the production and distribution of bottled drinking water;

(6) Requirements governing the taste, odor, appearance, and other consumer acceptability parameters of drinking water;

(7) Any requirements for a water supply system the commissioner determines is necessary to be equipped with a backflow prevention assembly, all maintenance activities must be documented and provided to the commissioner upon request:

Provided, That the secretary may not require inspection more frequently than once in three years for a low-hazard system, which is defined as a hazard that could cause aesthetic problems or have a detrimental secondary effect on the quality of the public potable water supply: Provided, however, That a high-hazard system, which is defined as a hazard that is conducive to the introduction of waterborne disease organisms, or harmful chemical, physical, or radioactive substances into a public water system, and that presents an unreasonable risk to health, shall be inspected annually; and
~~Secretary~~

(8) Any other requirement the ~~commissioner~~ secretary finds necessary to effectuate the provisions of this article.

(c) The ~~commissioner~~ secretary, or his or her authorized representative or designee, may enter any part of a public water system, whether or not the system is in violation of a legal requirement, for the purpose of inspecting, sampling, or testing and shall be furnished records or information reasonably required for a complete inspection.

(d) The ~~commissioner~~ secretary, or his or her authorized representative or designee, may conduct an evaluation necessary to assure the public water system meets federal safe drinking water requirements. The public water system shall provide a written response to the commissioner within 30 days of receipt of the evaluation by the public water system, addressing corrective actions to be taken as a result of the evaluation.

(e)(1) Any individual or entity who violates any provision of this article, or any of the rules or orders issued pursuant to this article, is liable for a civil penalty not less than \$1,000 nor more than \$5,000. Each day's violation shall constitute a separate offense.

(2) For a willful violation of a provision of this article, or of any of the rules or orders issued under this article, an individual or entity shall be subject to a civil penalty of not more than \$10,000 and each day's violation shall be grounds for a separate penalty.

(3) Civil penalties are payable to the ~~commissioner~~ secretary. All moneys collected under this section shall be deposited into a restricted account known as the Safe Drinking Water Fund. All moneys deposited into the fund shall be used by the ~~commissioner~~ secretary to provide technical assistance to public water systems.

(f) The ~~commissioner~~ secretary, or his or her authorized representative or designee, may also seek injunctive relief in the circuit court of the county in which all or part of the public water system is located for threatened or continuing violations.

(g) By July 1, 2020, a public water system supplying water to the public within the state shall immediately, but in no instance later than six hours, report the occurrence and the lifting of each advisory to local departments of health and to local office of emergency management 911 answering point.

(h) By January 1, 2022, a public water system shall make available to interested customers boiled water advisories promptly through a text or a voice alert mass notification system.

ARTICLE 13. SEWAGE WORKS AND STORMWATER WORKS.

§16-13-22a. Grants, loans and advances.

(a) Any municipality is authorized and empowered to accept loans or grants and procure loans or temporary advances evidenced by notes or other negotiable instruments issued in the manner, and subject to the privileges and limitations, set forth with respect to bonds authorized to be issued under the provisions of this article, for the purpose of paying part or all of the cost of acquisition or construction of said sewage works and the construction of betterments and improvements thereto, and for the other purposes herein authorized, from any authorized agency of the state or from the United States of America or any federal or public agency or department of the United States or any private agency, corporation or individual, which loans or temporary advances, including the interest thereon, may be repaid out of the proceeds of bonds authorized to be issued under the provisions of this article, the

revenues of the said sewage works or grants to the municipality from any agency of the state or from the United States of America or any federal or public agency or department of the United States or any private agency, corporation or individual or from any combination of such sources of payment, and to enter into the necessary contracts and agreements to carry out the purposes hereof with any agency of the state, the United States of America or any federal or public agency or department of the United States, or with any private agency, corporation or individual. Any other provisions of this article to the contrary notwithstanding, interest on any such loans or temporary advances may be paid from the proceeds thereof until the maturity of such notes or other negotiable instrument.

In no event shall any such loan or temporary advance be a general obligation of the municipality and such loans or temporary advances, including the interest thereon, shall be paid solely from the sources specified in this section.

(b) When potential customers apply for water or sewer service from the municipality, the municipality must determine the cost of the extension and the customer cost responsibility for the cost of the extension (customer share) in accordance with rules of the Public Service Commission. Once the cost and customer share are determined, if those potential customers wish to continue, and they, or any person or entity desiring to do so, provide an up-front customer contribution for the customer share of the extension costs, then the municipality shall extend service pursuant to the rules of the Public Service Commission. If, before continuing with the extension, the potential customers request that the municipality make application for grant funds to finance the total costs of the extension, then the potential customers, or any person or entity desiring to do so, must provide funds to cover the cost of the application, and, once provided, the municipality shall then apply through the West Virginia Infrastructure and Jobs Development Council for any available funding.

(c) Notwithstanding any other provisions of this code to the contrary, if a grant or grants are awarded that cover the total costs for a project to extend service to unserved potential customers, the

municipality is required to extend service to said potential customers after the potential customers have paid any required fees, including their required contributions. Grant funds shall be used to reimburse the potential customers or any other person or entity who were contributors for any front contributions, including, but not limited to, the cost of the application, in accordance with the rules of the Public Service Commission, including the rule that reimbursements will not exceed the original amount of the customer contribution.

ARTICLE 13A. PUBLIC SERVICE DISTRICTS.

§16-13A-24. Acceptance of loans, grants or temporary advances.

(a) Any public service district created pursuant to the provisions of this article is authorized and empowered to accept loans or grants and procure loans or temporary advances evidenced by notes or other negotiable instruments issued in the manner, and subject to the privileges and limitations, set forth with respect to bonds authorized to be issued under the provisions of this article, for the purpose of paying part or all of the cost of construction or acquisition of water systems, sewage systems, stormwater systems or stormwater management systems or gas facilities, or all of these, and the other purposes herein authorized, from any authorized agency or from the United States of America or any federal or public agency or department of the United States or any private agency, corporation or individual, which loans or temporary advances, including the interest thereon, may be repaid out of the proceeds of the bonds authorized to be issued under the provisions of this article, the revenues of the said water system, sewage system, stormwater system or associated stormwater management system or gas facilities, or grants to the public service district from any authorized agency or from the United States of America or any federal or public agency or department of the United States or from any private agency, corporation or individual or from any combination of such sources of payment, and to enter into the necessary contracts and agreements to carry out the purposes hereof with any authorized agency or the United States of America

or any federal or public agency or department of the United States, or with any private agency, corporation or individual. Any other provisions of this article to the contrary notwithstanding, interest on any such loans or temporary advances may be paid from the proceeds thereof until the maturity of such notes or other negotiable instrument.

(b) When potential customers apply for water or sewer service from the public service district, the public service district must determine the cost of the extension and the customer cost responsibility for the cost of the extension (customer share) in accordance with rules of the Public Service Commission. Once the cost and customer share are determined, if those potential customers wish to continue, and they, or any person or entity desiring to do so, provide an up-front customer contribution for the customer share of the extension costs, then the public service district shall extend service pursuant to the rules of the Public Service Commission. If, before continuing with the extension, the potential customers request that the public service district make application for grant funds to finance the total costs of the extension, then the potential customers, or any person or entity desiring to do so, must provide funds to cover the cost of the application, and, once provided, the public service district shall then apply through the West Virginia Infrastructure and Jobs Development Council for any available funding.

(c) Notwithstanding any other provisions of this code to the contrary, if a grant or grants are awarded that cover the total costs for a project to extend service to unserved potential customers, the public service district is required to extend service to said potential customers after the potential customers have paid any required fees, including their required contributions. Grant funds shall be used to reimburse the potential customers or any other person or entity who were contributors for any front contributions, including, but not limited to, the cost of the application, in accordance with the rules of the Public Service Commission, including the rule that reimbursements will not exceed the original amount of the customer contribution.

CHAPTER 22. ENVIRONMENTAL RESOURCES.**ARTICLE 26. WATER RESOURCES PROTECTION ACT.****§22-26-8. State Water Resources Management Plan; powers and duty of secretary.**

(a) The secretary shall oversee the development of a State Water Resources Management Plan to be completed no later than November 30, 2013. The plan shall be reviewed and revised as needed after its initial adoption. The plan shall be developed with the cooperation and involvement of local and state agencies with regulatory, research or other functions relating to water resources including, but not limited to, those agencies and institutions of higher education set forth in section three of this article and a representative of large-quantity users. The State Water Resources Management Plan shall be developed utilizing the information obtained pursuant to said section and any other relevant information available to the secretary.

(b) The secretary shall develop definitions for use in the State Water Resources Management Plan for terms that are defined differently by various state and federal governmental entities as well as other terms necessary for implementation of this article.

(c) The secretary shall continue to develop and obtain the following:

(1) An inventory of the surface water resources of each region of this state, including an identification of the boundaries of significant watersheds and an estimate of the safe yield of sources for consumptive and nonconsumptive uses during periods of normal conditions and drought.

(2) A listing of each consumptive or nonconsumptive withdrawal by a large-quantity user, including the amount of water used, location of the water resources, the nature of the use, location of each intake and discharge point by longitude and latitude where available and, if the use involves more than one watershed or basin, the watersheds or basins involved and the amount transferred.

(3) A plan for the development of the infrastructure necessary to identify the groundwater resources of each region of this state, including an identification of aquifers and groundwater basins and an assessment of their safe yield, prime recharge areas, recharge capacity, consumptive limits and relationship to stream base flows.

(4) After consulting with the appropriate state and federal agencies, assess and project the existing and future nonconsumptive use needs of the water resources required to serve areas with important or unique natural, scenic, environmental or recreational values of national, regional, local or statewide significance, including national and state parks; designated wild, scenic and recreational rivers; national and state wildlife refuges; and the habitats of federal and state endangered or threatened species.

(5) Assessment and projection of existing and future consumptive use demands.

(6) Identification of potential problems with water availability or conflicts among water uses and users including, but not limited to, the following:

(A) A discussion of any area of concern regarding historical or current conditions that indicate a low-flow condition or where a drought or flood has occurred or is likely to occur that threatens the beneficial use of the surface water or groundwater in the area; and

(B) Current or potential in-stream or off-stream uses that contribute to or are likely to exacerbate natural low-flow conditions to the detriment of the water resources.

(7) Establish criteria for designation of critical water planning areas comprising any significant hydrologic unit where existing or future demands exceed or threaten to exceed the safe yield of available water resources.

(8) An assessment of the current and future capabilities of public water supply agencies and private water supply companies to provide an adequate quantity and quality of water to their service areas.

(9) An assessment of floodplain and stormwater management problems.

(10) Efforts to improve data collection, reporting and water monitoring where prior reports have found deficiencies.

(11) A process for identifying projects and practices that are being, or have been, implemented by water users that reduce the amount of consumptive use, improve efficiency in water use, provide for reuse and recycling of water, increase the supply or storage of water or preserve or increase groundwater recharge and a recommended process for providing appropriate positive recognition of those projects or practices in actions, programs, policies, projects or management activities.

(12) An assessment of both structural and nonstructural alternatives to address identified water availability problems, adverse impacts on water uses or conflicts between water users, including potential actions to develop additional or alternative supplies, conservation measures and management techniques.

(13) A review and evaluation of statutes, rules, policies and institutional arrangements for the development, conservation, distribution and emergency management of water resources.

(14) A review and evaluation of water resources management alternatives and recommended programs, policies, institutional arrangements, projects and other provisions to meet the water resources needs of each region and of this state.

(15) Proposed methods of implementing various recommended actions, programs, policies, projects or management activities.

(d) The State Water Resources Management Plan shall consider:

(1) The interconnections and relationships between groundwater and surface water as components of a single hydrologic resource.

(2) Regional or watershed water resources needs, objectives and priorities.

(3) Federal, state and interstate water resource policies, plans, objectives and priorities, including those identified in statutes, rules, regulations, compacts, interstate agreements or comprehensive plans adopted by federal and state agencies and compact basin commissions.

(4) The needs and priorities reflected in comprehensive plans and zoning ordinances adopted by a county or municipal government.

(5) The water quantity and quality necessary to support reasonable and beneficial uses.

(6) A balancing and encouragement of multiple uses of water resources, recognizing that all water resources of this state are capable of serving multiple uses and human needs, including multiple uses of water resources for reasonable and beneficial uses.

(7) The distinctions between short-term and long-term conditions, impacts, needs and solutions to ensure appropriate and cost-effective responses to water resources issues.

(8) Application of the principle of equal and uniform treatment of all water users that are similarly situated without regard to established political boundaries.

(e) Each November, the secretary shall report to the Joint Legislative Oversight Commission on State Water Resources on the implementation of the State Water Resources Management Plan.

(f) The State Water Resources Management Plan is adopted. Persons identified as large-quantity users prior to the effective date of this subsection shall report actual monthly water withdrawals, or monthly water withdrawals by a method approved by the secretary, for the previous calendar year by March 31 of each succeeding year. Persons identified as large-quantity users on or after the effective date of this subsection shall submit their initial

annual report no later than March 31, 2016, and subsequent annual reports by March 31 of each year thereafter.

(g) Any commercial entity that withdraws groundwater in a quantity that would qualify it as a large-quantity user, as that term is defined in §22-26-2 of this code, in an area that lies primarily in karst terrain, as that term is defined in §22-6A-4 of this code, and that bottles that water for resale, directly or indirectly, shall submit to the secretary quarterly a report of the groundwater based on remote groundwater monitoring wells, which shall be installed in conjunction with the United States Geological Survey prior to any withdrawal of water and which shall be made remotely monitorable by the department, to show that the large quantity user's operations are not having a negative effect on already-existing users and uses of groundwater in that area. If at any time the quarterly reports or remote monitoring show that the large-quantity user's operations are negatively affecting already-existing users and uses of groundwater in that area, the secretary is authorized to restrict the volume of groundwater that may be withdrawn by the large quantity user's operations to an amount that remediates the negative effect on already-existing users and uses.

(h) The provisions of subsection (g) of this section do not apply to any existing commercial entities that bottle water for resale, directly or indirectly, nor to any expansion of their current operations.

Senator Phillips arose to a point of order that Senator Barrett's amendment to the bill was not germane to the bill (Eng. Com. Sub. for H. B. 3174).

Which point of order, the President ruled not well taken.

Following discussion,

The question being on the adoption of Senator Barrett's amendment to the bill, and on this question, Senator Martin demanded the yeas and nays.

The roll being taken, the yeas were: Barrett, Bartlett, Boley, Chapman, Fuller, Grady, Hamilton, Jeffries, Martin, Morris, Queen, Rucker, Taylor, Willis, and Smith (Mr. President)—15.

The nays were: Azinger, Charnock, Clements, Deeds, Garcia, Hart, Helton, Maynard, Oliverio, Phillips, Roberts, Rose, Stuart, Takubo, Tarr, Thorne, Weld, Woelfel, and Woodrum—19.

Absent: None.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Barrett's amendment to the bill rejected.

Thereafter, at the request of Senator Barrett, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 3174) was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for House Bill 3181, Allow all law enforcement officers to purchase gun upon retirement.

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. 3181) 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 House Bill 3181—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-29-15; and to amend and reenact §61-7-3, §61-7-6, and §61-7-7 of said code, relating to modifying certain provisions regarding owning and carrying certain firearms; allowing certain executives, officers, and officials to purchase certain firearms under certain circumstances and with certain exceptions; clarifying that such purchase does not supersede certain other statutes; and removing the requirement for provisional firearm licensure for individuals of certain age.

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

Eng. Com. Sub. for House Bill 3209, To provide at least one counselor for every 250 students in public schools and public charter schools in this state.

On third reading, coming up in regular order, was read a third time 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. 3209) passed.

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

Eng. Com. Sub. for House Bill 3209—A Bill to amend and reenact §18-5-18b of the Code of West Virginia, 1931, as amended,

relating to requiring each county to employ two school counselors to each 1,000 students to net enrollment; clarifying that requirement cannot be construed to increase the number of eligible professional student support personnel positions to each 1,000 students in net enrollment provided for under the public school support program; and allowing counties to follow certain counselor to student ratios.

Senator Martin moved that the bill take effect July 1, 2025.

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 H. B. 3209) takes effect July 1, 2025.

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

Eng. House Bill 3263, Relating to providing notification of utility service disruption to its' customers.

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. 3263) passed.

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

Eng. House Bill 3263—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-22, relating to requiring utilities to create outage communication plans to notify customers of any planned and any unexpected disruption of utility services; providing plan content requirements; and requiring filing of plan with the Public Service Commission.

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

Eng. Com. Sub. for House Bill 3294, Enacting the Bank Protections for Eligible Adults from Financial Exploitation Act.

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. 3294) passed.

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

Eng. Com. Sub. for House Bill 3294—A Bill amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §31A-2C-1, §31A-2C-2, §31A-2C-3, §31A-2C-4, §31A-2C-5, §31A-2C-6, and §31A-2C-7, relating to enacting banking and financial services provider protections for eligible adults from financial exploitation; providing findings, purpose, and intent; providing definitions; permitting disclosure of eligible persons financial information to certain third parties and designated government agencies; authorizing depository institutions, broker-dealers, and investment advisors to delay, refuse, or prevent certain activities and transactions to prevent financial exploitation of an eligible adult; and providing that this article shall not serve as the basis for any private cause of action against depository institutions, broker-dealers, or investment advisors, or their employees, acting in good faith.

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

Eng. Com. Sub. for House Bill 3297, Establishing the Washington Center for Civics, Culture, and Statesmanship at West Virginia University.

On third reading, coming up in regular order, with the unreported Finance committee amendment pending, and with the right having been granted on yesterday, Thursday, April 10, 2025, for further amendments to be received on third reading, was read a third time.

The following amendment to the bill, from the Committee on Finance, was reported by the Clerk:

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

ARTICLE 11. MISCELLANEOUS INSTITUTES AND CENTERS.

§18B-11-8. Washington Center for Civics, Culture, and Statesmanship.

(a) There is hereby created the Washington Center for Civics, Culture, and Statesmanship, to be located and operated at West Virginia University who shall work with the center to provide reasonable infrastructure, classroom space, and office space. The center is established for the purpose of creating and disseminating knowledge about classical western history and culture and American constitutional thought and forming future leaders of this state through research, scholarship, teaching, collaboration, and mentorship.

(b) The center's goals shall include, but not be limited to, the following:

(1) To enrich the curriculum in American constitutional studies, including the core texts, influential thinkers, and great debates of western civilization;

(2) To educate university students in political philosophy, constitutional governance, economic thought, western history and culture, and the principles that inform republican self-government;

(3) To educate university students in the foundations of responsible leadership and informed citizenship and to cultivate future generations of leaders in this state;

(4) To offer university-wide programming related to the values of open inquiry and civil discourse;

(5) To expand the intellectual diversity of the university's academic community and to create a rich forum for the development of ideas across the political and ideological spectrum;

(6) To support faculty and graduate student scholarship that advances understanding of American constitutional thought and institutions;

(7) To promote scholarly collaboration within the university and beyond; and

(8) To host lectures, debates, and symposia, and sponsor visiting scholars, speakers, teachers, and thinkers.

(c) The center shall adhere to the following policies:

(1) The center shall educate students by means of free, open, and rigorous intellectual inquiry to seek the truth;

(2) The center shall equip students with the skills, habits, and dispositions of mind they need to reach their own informed conclusions on matters of social and political importance;

(3) The center shall value intellectual diversity in higher education, including in faculty recruitment, hiring, and appointment, and aspire to enhance the intellectual diversity of academic life at the university; and

(4) The center shall create a community dedicated to an ethic of civil and free inquiry, which respects the intellectual freedom of each member, supports individual capacities for growth, and welcomes the differences of opinion that naturally occur in a public university community.

(d) The center shall be a unit of the university with the authority to house tenure-track faculty who hold their appointments within the center. Not fewer than five tenure-track faculty positions shall be allotted to the center. Faculty appointed within the center shall not be required, but may be required, to hold joint or courtesy appointments within any other division of the university. faculty hires into the center.

(e) To maintain accreditation, the center shall work with the university to develop and offer courses and may develop certificate, minor, major, and graduate programs, and offer degrees. The center shall work with the university to also develop a statesmanship minor that allows students taking different majors to study the principles of our republican government.

(f) The center shall be led by a director who shall report directly to the president of the university, the provost and the vice president for academic affairs. The Governor in consultation with president of the university shall appoint an initial director not later than 30 days after the effective date of this section. The director shall be an expert on the western tradition, the American founding, and American constitutional thought, and shall have publicly demonstrated, through speeches, publications, or presentations, a commitment to the purposes, goals, and policies of the center. The director's term shall be for five years and shall be renewable. The director shall have the protection of tenure or tenure eligibility. Any existing tenure with the university held by a director shall be maintained with the university.

(g)(1) Not later than 120 days after the effective date of this section, the director shall appoint a seven-member center academic council. Four members of the council shall form a quorum.

(2) The academic council shall be comprised of scholars with relevant expertise and experience. Not more than one member of the council may be an employee of the university.

(3) Three members of the academic council shall serve initial terms of two years and four members shall serve initial terms of four years, which the members shall determine at their first meeting, and select replacements for vacant seats. All subsequent terms after the initial terms shall last for four years.

(4) To fill a vacancy for the center director after the initial director, following a national search, the academic council shall transmit to the Governor and the president of the university a list of finalists from which the Governor in consultation with the president of the university shall select a director.

(h) The director under the direction of the provost, shall have authority over areas enumerated in this subsection. With regard to these enumerated areas, the director is required to seek the approval or agreement the provost or of any other university official.. The director under the direction of the provost has authority over the following areas:

(1) Managing the recruitment and hiring process and extending offers for employment for all faculty and staff;

(2) Terminating the employment of any staff;

(3) Tenure decisions affecting the center's professors and teachers;

(4) Overseeing and developing the center's curriculum;

(5) The center's budget and expenditures;

(6) Scheduling and holding any conferences relevant to the center's mission; and

(7) Scheduling, inviting, and hosting speakers and presenters.

(i) Any employment contracts made pursuant to subsection (h) of this section to tenure-track faculty appointed to the center shall, subject to available funding guarantee:

(1) Reappointment elsewhere in the university, at the same rank and compensation, in the event the center is discontinued; and

(2) An office in the department to which the professor or teacher is reappointed in the event the center is discontinued. The office in the new department shall be comparable, to the extent practicable, to the office space utilized by the professor or teacher during his or her time working for the center.

(i) The center, its personnel, and its financial operations, including how personnel are hired and reviewed, and what academic units must spend on office space must adhere to all institutional policies and procedures.

(j) All instructional faculty at the center must meet the institution's faculty qualifications policy which meets Higher Learning Commission requirements and expectations.

(k) All curriculum developed at the institution is required to be reviewed and approved through regular Board of Governor's-level

processes which includes expectations for faculty to perform meaningful assessment of learning.

(j) The director of the center shall submit an annual report to the West Virginia University Board of Governors and to the Joint Committee on Government and Finance. The report shall provide a full account of the center's achievements, opportunities, challenges, and obstacles in the development of this academic unit.

On motion of Senator Stuart, the following amendments to the Finance committee amendment to the bill (Eng. Com. Sub. for H. B. 3297) were reported by the Clerk, considered simultaneously, and adopted:

On page 4, section (8), after line 88, by inserting a new subsection (j) to read as follows:

(j) Members of the legislature, during or up to two years after the termination of their service in the in the legislature, shall not:

(1) Be employed by the center in any capacity; or

(2) Serve as the director of the center.

And,

By re-lettering the remaining subsections.

On motion of Senator Oliverio, the following amendments to the Finance committee amendment to the bill (Eng. Com. Sub. for H. B. 3297) were next reported by the Clerk, considered simultaneously, and adopted:

On pages 2 and 3, section 8, lines 44-52, by striking out subsection (f) and inserting in lieu thereof a new subsection (f) to read as follows:

(f) The center shall be led by a director who shall report directly to the president of the university, the provost and the vice president for academic affairs. In consultation with the president of the university, the Governor shall, by and with the advice and consent of the Senate, appoint an initial director. The director shall be an

expert on the western tradition, the American founding, and American constitutional thought, and shall have publicly demonstrated, through speeches, publications, or presentations, a commitment to the purposes, goals, and policies of the center. The director's term shall be for five years and shall be renewable. The director shall have the protection of tenure or tenure eligibility. Any existing tenure with the university held by a director shall be maintained with the university.,

And,

On page 3, section 8, lines 62-65, by striking out subdivision (4) and inserting in lieu thereof a new subdivision (4) to read as follows:

(4) To fill a vacancy for the center director after the initial director, following a national search, the academic council shall transmit to the Governor and the president of the university a list of finalists from which, in consultation with the president of the university, the Governor shall, by and with the advice and consent of the Senate, shall select a director.

The question now being on the adoption of the Finance committee amendment to the bill, as amended, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 3297, as just amended, was then put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for House Bill 3297 pass?"

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

The nays were: Boley, Clements, Garcia, Grady, Hart, Stuart, Takubo, Tarr, and Woelfel—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 H. B. 3297) passed.

At the request of Senator Barrett, as chair of the Committee on Finance, and by unanimous consent, the unreported Finance committee amendment to the title of the bill was withdrawn.

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

Eng. Com. Sub. for House Bill 3297—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18B-11-8, relating to creating the Washington Center for Civics, Culture, and Statesmanship within West Virginia University; requiring the university to work with the center to provide the center with reasonable infrastructure, classroom space, and office space; stating the center's purposes and goals; stating the center's policies; permitting the appointment of at least five tenure-track faculty; authorizing the center in consultation with the university to offer courses and to develop various degrees for accreditation; providing for a director of the center reporting directly to the president, provost, and vice president of academic affairs of the university; providing for the director's appointment and the filling of vacancies; providing for an academic council; enumerating areas over which the director, under the direction of the provost, has control and authority; requiring the center to adhere to institutional policies and procedures; requiring approval of the curriculum by the West Virginia University by the Board of Governors; requiring faculty to meet the university's qualifications policy; providing for limitations on employment and service of legislators; and providing for an annual report.

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

Eng. Com. Sub. for House Bill 3336, Well Plugging methods.

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

The nays were: None.

Absent: Rucker—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 H. B. 3336) 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 3338, Allow child witness testify remotely in situations deemed traumatic by judge.

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. 3338) passed with its title.

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

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

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

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 2, section 46, line 19, after the words "rimfire rifles" adding the words "and ammunition";

And

On page 2, section 46, line 19, after the word "access" adding a colon and the words "*Provided further*, That air rifles and rimfire rifles and ammunition stored on school buses shall be placed in a locked case and located in a specific location that is determined by state transportation director or the county transportation director."

On motion of Senator Martin, the following amendment to the House of Delegates amendments to the bill (Eng. Com. Sub. for S. B. 449) was reported by the Clerk and adopted:

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

Eng. Com. Sub. for Senate Bill 449—A Bill to amend and reenact §61-7-11a of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-2-

46, relating to permitting air rifles and rimfire rifles on school buses solely during transportation to or from a school-sponsored shooting team event, on the grounds of any primary or secondary educational facility of any type for shooting team purposes, and at a school-sponsored shooting team function that is taking place in a specific area that is owned, rented, or leased by West Virginia Department of Education, the West Virginia Secondary School Activities Commission, a county school board, or local public school; and requiring that during the school day or at any time other than school-sponsored team events or practices, the air rifles and rimfire rifles and ammunition be locked up in a location where students do not have access; and requiring air rifles and rimfire rifles and ammunition stored on school buses to be placed in a locked case and located in a specific location that is determined by the state transportation director or the county transportation director.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Senate Bill 449, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, 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 elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 449) passed with its Senate amended title.

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

On motion of Senator Martin, at 12:59 p.m., the Senate recessed until 2 p.m. today.

The Senate reconvened at 2:36 p.m.

At the request of Senator Rucker, and by unanimous consent, Senator Rucker addressed the Senate regarding Bob Trainor, mayor of Charles Town, West Virginia.

Thereafter, at the request of Senator Barrett, and by unanimous consent, the remarks by Senator Rucker were ordered printed in the Appendix to the Journal.

At the request of Senator Maynard, unanimous consent being granted, the Senate returned to the second order of business and the introduction of guests.

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 765,
Establishing Troops-to-Teachers Program.

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

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

On page 2, subsection 5, line 17, following the word "teachers" and before the semicolon by inserting the following sentence:

". Veterans will be given a veterans' preference in hiring in accordance with §6-13-1 of this code".

On motion of Senator Martin, the Senate refused to concur in the foregoing House amendment to the bill (Eng. Com. Sub. for Com. Sub. for S. B. 765) and requested the House of Delegates to recede therefrom.

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

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

Eng. Com. Sub. for Senate Bill 225, Expanding powers of National Park Service law-enforcement officers.

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

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

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

ARTICLE 10. COOPERATION BETWEEN LAW-ENFORCEMENT AGENCIES.

§15-10-5. Federal officers' peace-keeping authority.

(a) Notwithstanding any provision of this code to the contrary, any person who is employed by the United States government as a federal law-enforcement officer and is listed in subsection (b) of this section, has the same authority to enforce the laws of this state, except state or local traffic laws or parking ordinances, as that authority granted to state or local law-enforcement officers, if one or more of the following circumstances exist:

(1) The federal law-enforcement officer is requested to provide temporary assistance by the head of a state or local law-enforcement agency or the designee of the head of the agency and that request is within the state or local law-enforcement agency's scope of authority and jurisdiction and is in writing: *Provided*, That the request does not need to be in writing if an emergency situation exists involving the imminent risk of loss of life or serious bodily injury;

(2) The federal law-enforcement officer is requested by a state or local law-enforcement officer to provide the officer temporary assistance when the state or local law-enforcement officer is acting within the scope of the officer's authority and jurisdiction and where exigent circumstances exist; or

(3) A felony is committed in the federal law-enforcement officer's presence or under circumstances indicating a felony has just occurred.

(b) This section applies to the following persons who are employed as full-time federal law-enforcement officers by the United States government and who are authorized to carry firearms while performing their duties:

(1) Federal Bureau of Investigation special agents;

(2) Drug Enforcement Administration special agents;

(3) United States Marshal's Service marshals and deputy marshals;

(4) United States Postal Service inspectors;

(5) Internal Revenue Service special agents;

(6) United States secret service special agents;

(7) Bureau of Alcohol, Tobacco, and Firearms special agents;

(8) Police officers employed at the Federal Bureau of Investigation's criminal justice information services division facility located within this state;

~~(9) Law enforcement commissioned rangers of the National Park Service.~~

~~(10)~~ (9) Department of Veterans Affairs Police and Department of Veterans Affairs special investigators;

~~(11)~~ (10) Office of Inspector General special agents; ~~and~~

~~(12)~~ (11) Federal Air Marshals with the Federal Air Marshal Service;

(12) United States Fish and Wildlife Service special agents and law enforcement.

(13) Diplomatic Security Service special agents;

(14) Coast Guard special agents;

(15) Customs and Border Protection law-enforcement agents and officers;

(16) Department of Defense special agents;

(17) Federal Protective Service officers;

(18) Federal Bureau of Prisons officers; and

(19) Immigration and Customs Enforcement special agents and law-enforcement.

(c) Notwithstanding any provision of this code to the contrary, law enforcement commissioned rangers of the National Park Service have the powers of arrest, search, and seizure as to any offense under the laws of this state committed within the boundaries of a national park, national recreation area, or on other real property included in the National Park System.

(d) Notwithstanding any provision of this code to the contrary, law enforcement officers and special agents commissioned by the United States Forest Service have the powers of arrest, search, and seizure as to any offense under the laws of this state committed within the boundaries of national forests or on other real property managed or overseen by the United States Forestry Service and while acting in the scope of their official duties on such federally managed lands.

~~(e)~~ (e) Any person acting under the authority granted pursuant to this section:

(1) Has the same authority and is subject to the same exemptions and exceptions to this code as a state or local law-enforcement officer;

(2) Is not an officer, employee, or agent of any state or local law-enforcement agency;

(3) May not initiate or conduct an independent investigation into an alleged violation of any provision of this code except to the extent necessary to preserve evidence or testimony at risk of loss immediately following an occurrence described in subdivision (3), subsection (a) of this section: Provided, That law enforcement commissioned rangers of the National Park Service and law enforcement officers and special agents commissioned by the United States Forest Service may undertake an independent investigation pursuant to the authority described in subsections (c) and (d) of this section: Provided, however, That nothing in this section shall be construed to permit law enforcement officers of the National Park Service, or the United States Forest Service, to initiate or conduct investigations unrelated to activities occurring on federal lands managed or overseen by the National Park Service or the United States Forest Service;

(4) Is subject to 28 U.S.C. § 1346, the Federal Tort Claims Act; and

(5) Has the same immunities from liability as a state or local law-enforcement officer.

On motion of Senator Martin, the following amendment to the House of Delegates amendment to the bill (Eng. Com. Sub. for S. B. 225) was reported by the Clerk and adopted:

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

Eng. Com. Sub. for Senate Bill 225—A Bill to amend and reenact §15-10-5 of the Code of West Virginia, 1931, as amended, relating to incorporating in subsection (b) the following additional full time federal law enforcement officers of the United States government who are authorized to carry firearms while performing

their duties in furtherance of the allowances contained in subsection (a) of this section of the code- United States Fish and Wildlife special agents and law enforcement, Diplomatic Security Service special agents, Coast Guard special agents, Customs and Border Protection law-enforcement agents and officers, Department of Defense special agents, Federal Protective Service officers, Federal Bureau of Prisons officers, and Immigration and Customs Enforcement special agents and law-enforcement; also relating to expanding the powers of law-enforcement officers of the National Park Service and the United States Forest Service to include the authority to arrest, conduct searches, conduct seizures and enforce all laws of this state and also establishes that these officers will have the authority to undertake an independent investigation pursuant to that authority but only for activities occurring on lands managed and overseen by the National Park Service or the United States Forest Service.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendment, as amended.

Engrossed Committee Substitute for Senate Bill 225, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, 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)—33.

The nays were: None.

Absent: Garcia—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. 225) passed with its Senate amended title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, 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)—33.

The nays were: None.

Absent: Garcia—1.

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. 225) takes effect from passage.

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

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

Eng. House Bill 3344, Relating to the establishment of a grant program to fund the United States Food and Drug Administration's drug development trials with ibogaine.

On third 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 second reading calendar, following consideration of Engrossed Committee Substitute for House Bill 3125, already placed in that position.

Eng. Com. Sub. for House Bill 3411, Relating to commissions; removing the legislative members; and eliminating expired commissions.

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. 3411) 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 House Bill 3411—A Bill to repeal §4-7-1, §4-7-2, §4-7-3, §4-7-4, §4-7-5, §4-7-6, §4-7-7, §4-7-8, §4-7-9, §4-7-10 and §4-7-11 of the Code of West Virginia, 1931, as amended; to amend and reenact §4-10-3 of said code; to repeal §4-10-4 of said code; to amend and reenact §4-10-5, §4-10-6, §4-10-7, §4-10-9, §4-10-11 and §4-10-13 of said code; to repeal §4-13-1, §4-13-2, §4-13-3, §4-13-4, §4-13-5, §4-13-6, and §4-13-7 of said code; to amend and reenact §4-14-1, §4-14-2, and §4-14-3 of said code; to repeal §4-15-1 of said code; to amend and reenact §5-24-3 of said code; to amend and reenact §5B-2B-2 of said code; to repeal §5B-2B-4a of said code; to repeal §5B-2B-7 of said code; to amend and reenact §5B-3-2 of said code; to repeal §12-6D-4 of said code; to repeal §15-9C-1, §15-9C-2, §15-9C-3, §15-9C-4, §15-9C-5 and §15-9C-6 of said code; to repeal §16-29E-4 of said code; to repeal §17-2B-1, §17-2B-2, §17-2B-3, §17-2B-4, §17-2B-5 and §17-2B-6 of said code; to repeal §18B-14-1 and §18B-14-9 of said code; to repeal §21-5E-1, §21-5E-2, §21-5E-3, §21-5E-4, §21-5E-5 and §21-5E-6 of said code; to repeal §22-26-5 of said code; to repeal §29-1B-1, §29-1B-2, §29-1B-3, §29-1B-4, §29-1B-5, §29-1B-6 and §29-1B-7 of said code; to amend and reenact §29A-3A-11 of said code; and to repeal §31-20-26 of said code, relating to commissions; removing legislative members; making

technical changes throughout; and eliminating expired commissions.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, 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 H. B. 3411) takes effect from passage.

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

Eng. House Bill 3412, Relating to exemptions from disclosure of certain records; and exempting the legislative branch if it adopts its own rules.

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: Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Rucker, Stuart, Takubo, Tarr, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—25.

The nays were: Azinger, Chapman, Garcia, Hart, Helton, Roberts, Rose, Taylor, and Woelfel—9.

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. 3412) passed.

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

Eng. House Bill 3412—A Bill to amend and reenact §29B-1-1, §29B-1-2, §29B-1-3, §29B-1-3a, §29B-1-4, §29B-1-5, and §29B-1-7 of the Code of West Virginia, 1931, relating to modifying certain provisions regarding disclosure of public records; expanding the types of records and information that are not subject to or are exempt from public disclosure; modifying how the Freedom of Information Act is to be construed and removing the presumption of public accessibility; increasing the time period for responding to record requests; authorizing reasonable search and retrieval fee to be charged for responding to record requests; removing the burden on a public body to sustain its action regarding withholding records; and modifying certain provisions regarding the award of attorneys' fees and costs when access to certain records is denied.

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

Eng. House Bill 3424, Removing language regarding short term loans being provided to released inmates for costs related to reentry into the community.

On third reading, coming up in regular order, was read a third time 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. 3424) passed with its title.

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

Eng. House Bill 3434, Relating to the controlled substance schedules and to clean-up errors identified in the code sections.

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. 3434) 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 3440, Relating generally to removing and repealing obsolete provisions under the purview of the State Treasurer's Office.

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. 3440) passed with its title.

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

Eng. House Bill 3492, Relating to municipal economic opportunity development districts.

On third reading, coming up in regular order, with the unreported Economic Development committee amendment pending, and with the right having been granted on yesterday, Thursday, April 10, 2025, for further amendments to be received on third reading, was read a third time.

The following amendment to the bill, from the Committee on Economic Development, was reported by the Clerk and adopted:

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

ARTICLE 38. MUNICIPAL ECONOMIC OPPORTUNITY DEVELOPMENT DISTRICTS.

§8-38-9. Authorization to levy special district excise tax.

(a) *General*. — Municipalities have no inherent authority to levy taxes and have only that authority expressly granted to them by the Legislature. The Legislature is specifically extended, and intends by this article to exercise certain relevant powers expressed in section six-a, article X of the Constitution of this state as follows:

(1) The Legislature may appropriate state funds for use in matching

or maximizing grants-in-aid for public purposes from the United States or any department, bureau, commission or agency thereof, or any other source, to any county, municipality or other political subdivision of the state, under such circumstances and subject to such terms, conditions and restrictions as the Legislature may prescribe by law; and (2) the Legislature may impose a state tax or taxes or dedicate a state tax or taxes or any portion thereof for the benefit of and use by counties, municipalities or other political subdivisions of the state for public purposes, the proceeds of any such imposed or dedicated tax or taxes or portion thereof to be distributed to such counties, municipalities or other political subdivisions of the state under such circumstances and subject to such terms, conditions and restrictions as the Legislature may prescribe.

Because a special district excise tax would have the effect of diverting, for a specified period of years, tax dollars which to the extent, if any, are not essentially incremental to tax dollars currently paid into the General Revenue Fund of the state, the Legislature finds that in order to substantially ensure that such special district excise taxes will not adversely impact the current level of the General Revenue Fund of the state, it is necessary for the Legislature to separately consider and act upon each and every economic development district which is proposed, including the unique characteristics of location, current condition and activity of and within the area included in such proposed economic opportunity development district and that for such reasons a statute more general in ultimate application is not feasible for accomplishment of the intention and purpose of the Legislature in enacting this article. Therefore, no economic opportunity development district excise tax may be levied by a municipality until after the Legislature expressly authorizes the municipality to levy a special district excise tax on sales of tangible personal property and services made within district boundaries approved by the Legislature.

(b) *Authorizations.* — The Legislature authorizes the following municipalities to levy special district excise taxes on sales of tangible personal property and services made from business

locations in the following economic opportunity development districts:-

(1) The City of South Charleston may levy a special district excise tax for the benefit of the South Charleston Park Place Economic Opportunity Development District which comprises up to two thousand one hundred contiguous acres of land.

(2) The City of Huntington may levy a special district excise tax for the benefit of the City of Huntington Economic Opportunity Development District which comprises 146 acres of land, subject to holding public hearing as provided in §8-38-6 of this code, submitting the application required by §8-38-6 and §8-38-7 of this code, and obtaining the approval of the West Virginia Division of Economic Development as provided in §8-38-7 of this code.

(c) *Annual Reports.* — Notwithstanding any other provision of this code to the contrary, any jurisdiction that imposes a special district excise tax shall compile and issue an annual report for each fiscal year of operation, such year beginning on July 1 and ending on June 30. The annual report shall be issued on or before the next succeeding December 31 after the close of each fiscal year.

(1) The annual report shall be filed with the Governor, the Secretary of Commerce, the Secretary of Revenue, and the Joint Committee on Government and Finance.

(2) The annual report shall set forth in detail the following information:

(A) The amount of special district excise tax collected during the fiscal year.

(B) The total assessed value of all property located in the district at the inception of the district;

(C) The total assessed value of all property for the most recent property tax year in the district;

(D) A list of all businesses operating in the special district during the report year;

(E) The amount of indebtedness attributed to the sales tax increment financing project;

(F) The date of maturity for debts and annual amortization payment schedules for debt financed with the sales tax increment financing project;

(G) The projected date for retirement of all debt financed with the sales tax increment financing project;

(H) The projected date of dissolution of the special district.

Engrossed House Bill 3492, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Morris, Oliverio, Phillips, Queen, Roberts, Takubo, Tarr, Weld, Woelfel, and Woodrum—22.

The nays were: Azinger, Chapman, Hart, Martin, Maynard, Rose, Rucker, Stuart, Taylor, Thorne, Willis, and Smith (Mr. President)—12.

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. 3492) passed.

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

Eng. House Bill 3492—A Bill to amend and reenact §8-38-9 of the Code of West Virginia, 1931, as amended, relating to authorizing the City of Huntington to levy a special district excise tax for the benefit of the City of Huntington Economic Opportunity Development District; requiring City of Huntington to comply with requirements to hold a public hearing, submit a certain application,

and receive approval as required by law; and requiring jurisdictions authorized to levy special excise tax to file a detailed annual report.

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

Action as to Engrossed House Bill 3492 having been concluded, the Senate proceeded to the consideration of

Eng. Com. Sub. for House Bill 2695, Raleigh and Mason Counties Economic Opportunity Development Districts.

On third reading, coming up in deferred order, with the unreported Economic Development committee amendment pending, and with the right having been granted on yesterday, Thursday, April 10, 2025, for further amendments to be received on third reading, was read a third time.

The following amendment to the bill, from the Committee on Economic Development, was reported by the Clerk:

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

ARTICLE 22. COUNTY ECONOMIC OPPORTUNITY DEVELOPMENT DISTRICTS.

§7-22-9. Authorization to levy special district excise tax.

(a) General. — County commissions have no inherent authority to levy taxes and have only that authority expressly granted to them by the Legislature. The Legislature is specifically extended, and intends by this article, to exercise certain relevant powers expressed in section six-a, article X of the Constitution of this state as follows: (1) The Legislature may appropriate state funds for use in matching or maximizing grants-in-aid for public purposes from the United States or any department, bureau, commission or agency thereof, or any other source, to any county, municipality or other political subdivision of the state, under such circumstances and subject to such terms, conditions and restrictions as the Legislature may prescribe by law; and (2) the Legislature may impose a state

tax or taxes, or dedicate a state tax or taxes, or any portion thereof for the benefit of, and use by, counties, municipalities, or other political subdivisions of the state for public purposes, the proceeds of any such imposed or dedicated tax or taxes or portion thereof to be distributed to such counties, municipalities or other political subdivisions of the state under such circumstances and subject to such terms, conditions and restrictions as the Legislature may prescribe.

Because a special district excise tax would have the effect of diverting, for a specified period of years, tax dollars which to the extent, if any, are not essentially incremental to tax dollars currently paid into the General Revenue Fund of the state, the Legislature finds that in order to substantially ensure that such special district excise taxes will not adversely impact the current level of the General Revenue Fund of the state, it is necessary for the Legislature to separately consider and act upon each and every economic development district which is proposed, including the unique characteristics of location, current condition and activity of and within the area included in such proposed economic opportunity development district and that for such reasons a statute more general in ultimate application is not feasible for accomplishment of the intention and purpose of the Legislature in enacting this article. Therefore, no economic opportunity development district excise tax may be levied by a county commission until after the Legislature expressly authorizes the county commission to levy a special district excise tax on sales of tangible personal property and services made within district boundaries approved by the Legislature.

(b) Authorizations. — The Legislature authorizes the following county commissions to levy special district excise taxes on sales of tangible personal property and services made from business locations in the following economic opportunity development districts:

(1) The Ohio County Commission may levy a special district excise tax for the benefit of the Fort Henry Economic Opportunity Development District which comprises 500 contiguous acres of land. Notwithstanding the time limitations provisions of

subdivision (2), subsection (a), section fifteen of this article, the Fort Henry Economic Opportunity Development District shall not be abolished under subdivision (2), subsection (a), section fifteen of this article until the year 2054, unless sooner abolished and terminated in accordance with the provisions of subdivision (1), subsection (a), section fifteen of this article or any other provision of this code, or sooner abolished for any other reason: *Provided*, That on December 31, 2054, the provisions of subdivision (2), subsection (a), section fifteen of this article shall apply to abolish the Fort Henry Economic Opportunity Development District, if the district has not been abolished prior to that date.

(2) The Harrison County Commission may levy a special district excise tax for the benefit of the Charles Pointe Economic Opportunity Development District which comprises 437 acres of land.

(3) The Monongalia County Commission may levy a special district excise tax for the benefit of the University Town Centre Economic Opportunity Development District which comprises approximately 1,450 contiguous acres of land. Notwithstanding the time limitations provisions of §7-22-15(a)(2) of this code, the University Town Centre Economic Opportunity Development District shall not be abolished pursuant to §7-22-15(a)(2) of this code until the year 2053, unless sooner abolished and terminated in accordance with the provisions of subdivision §7-22-15(a)(1) of this code or any other provision of this code, or sooner abolished for any other reason: *Provided*, That on December 31, 2053, the provisions of §7-22-15(a)(2) of this code shall apply to abolish the University Town Centre Economic Opportunity Development District, if the district has not been abolished prior to that date.

(4) The Jefferson County Commission may levy a special district excise tax for the benefit of the Hill Top House Hotel Economic Opportunity District which comprises approximately 11 contiguous acres of land: *Provided*, That notwithstanding any other provision of this article to the contrary:

(A) The Jefferson County Commission may create the district and levy the special district excise tax by order entered of record

as provided in §7-22-10 of this code without the approval of the executive director of the development office; and

(B) The Jefferson County Commission may determine the base district tax, the base tax revenue amount, the gross annual district tax revenue amount, and the estimated net annual district tax revenue amount in lieu of that determination by the development office as provided in §7-22-7 of this code. For purposes of determining the base tax revenue amount, the Jefferson County Commission shall promptly request a certification from the Tax Commissioner of the base tax revenue amount and the Tax Commissioner shall provide the certification to the Jefferson County Commission within thirty days.

(5) The Mercer County Commission may levy a special district excise tax for the benefit of The Ridges Economic Opportunity Development District which comprises approximately 420 contiguous acres of land, subject to holding a public hearing as provided in §7-22-14(c) of this code, submitting the application required by §7-22-14(d) of this code, and obtaining the approval of the West Virginia Development Office as provided in §7-22-14(e) of this code.

(6) The Raleigh County Commission may levy a special district excise tax for the benefit of the Raleigh County Economic Opportunity Development District which comprises approximately 1,600 contiguous acres of land, subject to holding a public hearing as provided in §7-22-6 of this code, submitting the application required by §7-22-6 and §7-22-7 of this code, and obtaining the approval of the West Virginia Development Office as provided in §7-22-7 of this code.

(7) The Mason County Commission may levy a special district excise tax for the benefit of the Town of Henderson Economic Opportunity District which comprises approximately ~~456~~ 150 contiguous acres of land, subject to holding a public hearing as provided in §7-22-6 of this code, submitting the application required by §7-22-6 and §7-22-7 of this code, and obtaining the approval of the West Virginia Development Office as provided in §7-22-7 of this code.

(c) Annual Reports. — Notwithstanding any other provision of this code to the contrary, any jurisdiction that imposes a special district excise tax shall compile and issue an annual report for each fiscal year of operation, such year beginning on July 1 and ending on June 30. The annual report shall be issued on or before the next succeeding December 31 after the close of each fiscal year.

(1) The annual report shall be filed with the Governor, the Secretary of Commerce, the Secretary of Revenue, and the Joint Committee on Government and Finance.

(2) The annual report shall set forth in detail the following information:

(A) The amount of special district excise tax collected during the fiscal year.

(B) The total assessed value of all property located in the district at the inception of the district;

(C) The total assessed value of all property for the most recent property tax year in the district;

(D) A list of all businesses operating in the special district during the report year;

(E) The amount of indebtedness attributed to the sales tax increment financing project;

(F) The date of maturity for debts and annual amortization payment schedules for debt financed with the sales tax increment financing project;

(G) The projected date for retirement of all debt financed with the sales tax increment financing project; and

(H) The projected date of dissolution of the special district.

§7-22-14. Modification of Included area; notice; hearing.

(a) *General.* — The order creating an economic opportunity development district may not be amended to include additional

contiguous property until after the amendment is approved by the executive director of the Development Office in the same manner as an application to approve the establishment of the district is acted upon under section seven of this article and the amendment is authorized by the Legislature. The order creating an economic opportunity development district may not be amended to remove property until after the amendment is approved by the executive director of the Development Office in the same manner as an application to approve the establishment of the district is acted upon under section seven of this article: *Provided*, That any amendment for the purpose of removing property from an economic opportunity development district may not require authorization from the Legislature and shall ensure that any such district after such an amendment remains contiguous. The order which is entered for the purpose of removing parcels from an existing economic opportunity development district may not be effective any earlier than the first day of the calendar month which begins at least thirty days following the entry of the order or such later date as may be specified by the county commission in the order.

(b) *Limitations.* — Additional property may not be included in the district unless it is situated within the boundaries of the county and is contiguous to the then current boundaries of the district.

(c) *Public hearing required.* —

(1) The county commission of any county desiring to amend its order shall designate a time and place for a public hearing upon the proposal to include additional property. The notice shall meet the requirements set forth in section six of this article.

(2) At the time and place set forth in the notice, the county commission shall afford the opportunity to be heard to any owners of real property either currently included in or proposed to be added to the existing district and to any other residents of the county.

(d) *Application to West Virginia Development Office.* — Following the hearing, the county commission may, by resolution, approve the filing of an application with the Development Office

for the inclusion of the additional property in the district or for the removal of the applicable parcels from the district.

(e) *Consideration by the Executive Director of the Development Office.* — Before the executive director of the Development Office approves inclusion of the additional property in the district, the Development Office shall determine the amount of taxes levied by article fifteen, chapter eleven of this code that were collected by businesses located in the area the county commission proposes to add to the district in the same manner as the base amount of tax was determined when the district was first created. The State Treasurer shall also deposit one twelfth of this additional tax base amount into the General Revenue Fund each month, as provided in section twelve of this article.

(f) *Legislative action required to include additional property.* — After the Executive Director of the Development Office approves amending the boundaries of the district to include additional property, the Legislature must amend section nine of this article to allow levy of the special district excise tax on business located in geographic area to be included in the district. After the Legislature amends said section, the county commission may then amend its order: *Provided*, That the order may not be effective any earlier than the first day of the calendar month that begins sixty days after the effective date of the act of the Legislature authorizing the levy on the special district excise tax on businesses located in the geographic area to be added to the boundaries of the district for which the tax is levied or a later date as set forth in the order of the county commission.

(g) *Collection of special district excise tax.* — All businesses included in a district because of the boundary amendment shall on the effective date of the order, determined as provided in subsection (f) of this section, collect the special district excise tax on all sales on tangible property or services made from locations in the district on or after the effective date of the county commission's order or a later date as set forth in the order.

(h) *Minor Modifications.* — Notwithstanding any provision of this article to contrary, a county commission may amend the order

creating an economic opportunity development district to make, and may make, modifications to the boundaries of the economic opportunity development district without holding a public hearing or receiving approval of the executive director of the West Virginia Development Office or authorization by the Legislature if the modifications do not ~~increase the total acreage of the economic opportunity development district~~ result in a net increase to the acreage of the district of greater than ten percent of the total acreage. ~~or~~ The modifications shall not result in a change to or recalculation of the base tax revenue amount. The county commission is authorized to levy special district excise taxes on sales of tangible personal property and services made from business locations within the modified boundaries of the economic opportunity development district.

On motion of Senator Jeffries, the following amendments to the Economic Development committee amendment to the bill (Eng. Com. Sub. for H. B. 2695) were reported by the Clerk, considered simultaneously, and adopted:

On page 3, section 9, line 50, by striking out "2053" and inserting in lieu thereof "2057";

And,

On page 3, section 9, line 52, by striking out "2053" and inserting in lieu thereof "2057";

And,

On page 5, after line 104, by striking out all of section 14.

The question now being on the adoption of the Economic Development committee amendment to the bill, as amended, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 2695, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Barrett, Boley, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries,

Morris, Oliverio, Phillips, Queen, Roberts, Takubo, Tarr, Weld, and Woodrum—19.

The nays were: Azinger, Bartlett, Chapman, Charnock, Hart, Martin, Maynard, Rose, Rucker, Stuart, Taylor, Thorne, Willis, Woelfel, and Smith (Mr. President)—15.

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. 2695) passed.

At the request of Senator Jeffries, as chair of the Committee on Economic Development, and by unanimous consent, the unreported Economic Development committee amendment to the title of the bill was withdrawn.

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

Eng. Com. Sub. for House Bill 2695—A Bill to amend and reenact §7-22-9 of the code of West Virginia, 1931, as amended, relating to county economic opportunity development districts; authorizing Raleigh County to levy a special district excise tax for the benefit of the Raleigh County Economic Opportunity Development District; authorizing Mason County to levy a special district excise tax for the benefit of the Town of Henderson Economic Opportunity District; requiring Mason County and Raleigh to comply with requirements to hold a public hearing, submit a certain application, and receive approval as required by law; and extending the abolishment date for the University Town Center Economic Opportunity Development District.

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

Eng. House Bill 3503, Relating to regulation by counties, municipalities, and political subdivisions of commercial horticulture under the Water Pollution Control Act.

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 31, after line 12, by striking out all of subsection (c) and inserting in lieu thereof a new subsection (c) to read as follows:

(c) Any political subdivision of this state may not enact an ordinance within the subject matter of said Water Pollution Control Act that is more stringent than any federal or state rule, regulation, program, or permitting regime.

Engrossed House Bill 3503, as just amended, was then put upon its passage.

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

The nays were: Garcia, Takubo, and Woelfel—3.

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. 3503) passed.

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

Eng. House Bill 3503—A Bill to amend the code of West Virginia, 1931, as amended, by adding thereto a new section, designated §22-11-31, relating to prohibiting the regulation by any

county, municipality, or political subdivision of commercial horticulture within the subject matter of the Water Pollution Control Act; providing that such regulations are invalid and unenforceable; prohibiting any county, municipality, or political subdivision from bringing a cause of action within the subject matter of the Water Pollution Control Act against any commercial horticulture operation; and providing that any political subdivision may not enact an ordinance within the subject matter of the Water Pollution Control Act that is more stringent than any federal or state rule, regulation, program, or permitting regime.

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

Eng. House Bill 3504, Relating to protecting critical infrastructure; and defining terms.

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. 3504) passed with its title.

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

Eng. House Bill 3513, Relating to standards of liability and insurance requirements in certain civil actions.

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, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: Hart and Roberts—2.

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. 3513) passed with its title.

Senator Martin moved that the bill take effect August 1, 2025.

On this question, 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, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3513) takes effect August 1, 2025.

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

Eng. House Bill 3517, Relating generally to fiscal emergencies of local governments.

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. 3517) passed.

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

Eng. House Bill 3517—A Bill to amend and reenact §8-35-1 and §8-35-2 of the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §6-9D-1, §6-9D-2, §6-9D-2a, §6-9D-3, §6-9D-4, §6-9D-5, §6-9D-6, §6-9D-7, §6-9D-8, §6-9D-9, §6-9D-10, §6-9D-11 and §6-9D-12; and to amend said code by adding thereto by adding 4 new sections, designated §8-35-3, §8-35-4, §8-35-5 and §8-35-6, all relating generally to fiscal watch or fiscal emergencies of local governments; setting out findings; defining terms; setting out auditable conditions of local governments; providing details of a fiscal watch or a fiscal emergency; establishing a system to remediate those emergencies; providing for a financial recovery plan; setting out certain timeframes; setting out duties of local officials; requiring certain action be taken by the State Auditor or a designee; providing for an appeal; providing for a severability clause; modernizing the process for the dissolution of municipalities; and providing for rulemaking.

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

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

Eng. Com. Sub. for Com. Sub. for House Bill 2164, To allow for public and private schools in West Virginia to employ security personnel.

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

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Committee Substitute for House Bill 2164 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, 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 Com. Sub. for H. B. 2164) passed.

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

Eng. Com. Sub. for Com. Sub. for House Bill 2164—A Bill to amend and reenact §15-2D-3 and §61-7-11a of the Code of West Virginia, 1931, as amended; and by adding thereto three new sections, designated §18-5-52, §15-5-53 and §18-5-54, relating to creating school safety officers; requiring the director of the Division of Protective Services to establish standards for school safety officers and issue a certificate; providing definitions; authorizing local school boards, public charter schools, and private

or religious schools to employ school safety officers; providing standards for a school safety officer to carry a firearm on school grounds; requiring a background check; specifying the detention powers of a school safety officer and limitations on detention powers; requiring data sharing with the Division of Protective Services; specifying payment for equipment; requiring insurance for schools employing a school safety officer; clarifying that the prohibitions on carry a firearm in a school zone do not apply to certified school safety officers; providing that all school safety officers are subject to the Law Enforcement Officers Safety Act ("LEOSA"); clarifying the liability and responsibility of school safety officers; providing for annual training in conjunction with the local county sheriffs' department; allowing county boards of education to contract with an independent contractor, known as a West Virginia guardian, who is a former state trooper, former deputy sheriff, former state fire marshal, former Department of Natural Resources police officer, former municipal police officer, or former federal law-enforcement officer to provide to provide public safety and/or security on school grounds to protect life and property; specifying the authority of independent contractors participating in the program and an apparel requirement; requiring the West Virginia guardian to apply for a permit from the county sheriff of the county in which the guardian will provide services; mandating the county sheriff to require an applicant to provide proof of meeting certain requirements; allowing county board to impose additional requirements; requiring permit application fee to be deposited into a guardian program fund; stating that meeting all of certain requirements does not guarantee a contract will be extended to the applicant; specifying instances in which an independent contractor is precluded from participation as a West Virginia guardian; providing certain liability insurance requirements; exempting West Virginia guardian contract from certain purchasing requirements; clarifying that county board participation is voluntary and subject to the availability of county funds; providing for exclusions from state benefit programs; clarifying that an off duty law-enforcement officer is not prohibited from carrying a firearm on certain school grounds; allowing county boards, public charter schools, or private or religious schools to contract with a private security guard firm to provide school safety

officer services; specifying the authority of the private security guard firm or its employees participating as a school safety officer; mandating the county board, public charter school, or private or religious school to require an applicant to provide proof of meeting certain requirements; allowing county board, public charter school, or private or religious school impose additional requirements; specifying instances in which a private security guard or its employees is precluded from participation as a school safety officer; providing certain liability insurance requirements; exempting contract from certain purchasing requirements; providing for exclusions from state benefit programs; and clarifying that an employee of a private security guard firm acting as a school safety officer is not prohibited from carrying a firearm on certain school grounds.

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

Action as to Engrossed Committee Substitute for Committee Substitute for House Bill 2164 having been concluded, the Senate proceeded to the consideration of

Eng. Com. Sub. for House Bill 2451, To facilitate the creation of home-based businesses.

Having been read a third time in earlier proceedings today, and now coming up in deferred order, was again reported by the Clerk.

The question being "Shall Engrossed Committee Substitute for House Bill 2451 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Queen, Roberts, Rose, Rucker, Stuart, Tarr, Taylor, Thorne, Willis, Woodrum, and Smith (Mr. President)—28.

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

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. 2451) passed.

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

Eng. Com. Sub. for House Bill 2451—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §8-40-1, §8-40-2, §8-40-3, §8-40-4, §8-40-5, and §8-40-6; to further amend the code, by adding thereto a new article designated §8-13-4 and §8-13-5 and to amend and reenact §8-13-4, §8-13-5, and §11-12-3 relating to small businesses; increasing the amount of annual revenue for businesses to be exempt from business and occupation taxes and privilege taxes; facilitating the creation of home based businesses; providing for definitions; providing for permitted use; providing for prohibitions; creating reasonable regulations; providing for limited conditions; providing for review; 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; creating the Small Business Protection Act; providing intent and legislative findings; and providing a short 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.

Eng. Com. Sub. for House Bill 2347, Relating generally to the creation of mental hygiene regions by the Supreme Court of Appeals.

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

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

By striking out everything after the enacting clause and inserting in lieu thereof the provisions of Engrossed Committee Substitute for Committee Substitute for Senate Bill 761.

The bill (Eng. Com. Sub. for H. B. 2347), as amended, was then ordered to third reading.

Eng. Com. Sub. for House Bill 3164, Requiring registered sex offenders pay annual fee.

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

On motion of Senator Martin, at 3:19 p.m., the Senate recessed until 4:30 p.m. today.

The Senate reconvened at 5:57 p.m. and resumed business under the ninth order.

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

Eng. Com. Sub. for House Bill 2014, Certified Microgrid Program.

On third reading, coming up in deferred order, with the unreported Economic Development committee amendment pending, and with the right having been granted on yesterday, Thursday, April 10, 2025, for further amendments to be received on third reading, was read a third time.

The following amendment to the bill, from the Committee on Economic Development, was reported by the Clerk:

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

CHAPTER 5B. ECONOMIC DEVELOPMENT ACT OF 1985.

ARTICLE 2. DEPARTMENT OF ECONOMIC DEVELOPMENT.

§5B-2-21. Certified ~~Industrial Business Expansion~~ Microgrid Development Program.

(a) *Program established.* — The Certified ~~Industrial Business Expansion~~ Microgrid Development Program is hereby created and is to be administered as a program within the ~~Department~~ Division of Economic Development to encourage the continued development, construction, operation, maintenance, and expansion in West Virginia of high impact ~~industrial~~ plants and facilities, in certain circumstances where the availability of electricity generated from renewable sources is demonstrated to be necessary. In order to effectuate the purposes of this section, the ~~Department~~ Division of Economic Development, or any agency, division, or subdivision thereof, may propose for promulgation of legislative rules, including emergency rules, in accordance with §29A-3-1 *et seq.* of this code.

(b) *District certification.* — The Secretary of the Department of ~~Economic Development~~ Commerce may identify and certify high impact ~~Industrial business development~~ microgrid districts in this state upon a finding that the following requirements are met:

(1) Certification of the ~~high impact Industrial business development~~ microgrid district and location of new or expanded businesses within the microgrid district will have a significant and positive economic impact on the state;

(2) Certification of the ~~high impact Industrial business development~~ microgrid district is necessary to attract at least two businesses to locate or expand in this state;

(3) The area to be certified as a ~~high impact Industrial business development~~ microgrid district shall be no greater than 2,250 acres and must be located on land sold or leased by the state, its agencies, or political subdivisions as defined in §29-12A-3(e) of this code with a purpose of creating a high impact Industrial business development district or on land that has been previously used for coal mining operations in the state; and

(4) The electricity generated ~~from renewable sources~~ within the microgrid district will be used only within the microgrid district or delivered to the wholesale market;

(5) The information described in §5B-2-21(h) of this code has been provided to the Department of Commerce;

(6) The requirements of §5B-2-21(i) of this code have been satisfied; and

(7) The requirements of §5B-2-21(b)(5) and (6) of this code may not apply to microgrid districts certified on or before January 1, 2024.

(8) The requirements of subsections (d), (e), (g), (h), and (j) of this section enacted during the regular session of the Legislature, 2025, shall not apply to any microgrid district certified on or before January 1, 2024, or any special contract entered into and approved by the Public Service Commission on or before January 1, 2025. No amendments to this section enacted during the regular session of the Legislature, 2025, shall be interpreted to remove an existing microgrid district certification.

The Secretary of the Department of ~~Economic Development~~ Commerce may not certify more than two ~~high impact Industrial business development~~ microgrid districts; *Provided*, That this limit on certifying microgrid districts shall not apply to any microgrid district wherein greater than 70% of the electricity generated within the microgrid district is consumed by one or more high impact data centers, as defined in §11-6N-2 of this code, or will be consumed by one or more high impact data centers, when such data centers are completed and fully operational. A designation made pursuant to this section by the secretary as to the certification of a ~~high impact Industrial business development~~ microgrid district is final.

(c) *Providing electric service within a certified ~~high impact Industrial business development~~ microgrid district.* — Within a ~~high impact Industrial business development~~ microgrid district, any person, firm, corporation, or entity or their lessees and tenants seeking to provide electric service through the generation or

~~distribution of renewable sources electricity from within the high impact Industrial business development microgrid district of electricity to businesses locating within the certified high impact Industrial business development microgrid district may:~~

(1) Not be subject to the jurisdiction of the Public Service Commission with respect to rates, obtaining a certificate of convenience and necessity, conditions of service or complaints pursuant to chapter 24 of this code;

(2) Not be subject to the net metering and interconnection standards as set forth in §24-2F-8 of this code;

(3) Elect to qualify as an exempt wholesale generator under federal law for purposes of furnishing electric service through the generation of ~~renewable sources electricity~~ to a utility or regional transmission organization without being subject to the Public Service Commission's siting certificate requirements as set forth in §24-2-1(d), §24-2-11c, or §24-2-1o of this code;

(4) Provide any such electric service to businesses making a capital investment in a new or expanded ~~Industrial~~ facility located within the certified ~~high impact Industrial business development microgrid~~ district; ~~and~~

(5) Not provide any such electric service for purposes of encouraging businesses already receiving electric service from a regulated utility in this state to relocate to the certified ~~high impact Industrial business development microgrid~~ district; ~~and~~

(6) Not deliver outside the microgrid district more than 10% of the electricity generated within the certified microgrid district and only delivered to the wholesale market.

(7) Utilize a plant that was decommissioned or mothballed and then re-energized using coal or natural gas as a fuel or feed stock which shall be unrestricted in its ability to sell power behind the meter as a microgrid for any use and for any facility on its certified microgrid district.

(d) ~~Eligible electric retail~~ Microgrid customers; eligibility. — In order to take advantage of the provisions of this section, ~~Industrial a~~ plant or facility choosing to locate and operate within a ~~high impact Industrial business development~~ microgrid district must constitute new electric ~~generating~~ load. Any owner, lessee, or tenant of ~~an Industrial a~~ plant or facility that has not previously received electric service from a regulated public electric utility located within this state, or who is making a capital investment in a new ~~Industrial~~ facility within the microgrid district shall be considered eligible new electric ~~generating~~ load. Electric service to any such ~~Industrial~~ plant or facility shall be considered new electric ~~generating~~ load so long as any customer making a new capital investment within the microgrid district does not decrease the load of an existing facility outside the microgrid district in this state in conjunction with the new capital investment within the microgrid district, and regardless of whether or not a person or entity previously received service from a public electric utility at or near the same location prior to the certification of the ~~high impact Industrial business development~~ microgrid district.

An eligible ~~Industrial~~ plant or facility choosing to locate and operate within a ~~high impact Industrial business development~~ microgrid district is not required to connect with and use any public electric utility: ~~Provided, That any plant or facility choosing to do so may participate in net metering with a public electric utility without being subject to the net metering and interconnection standards set forth in §24-2F-8 of this code: Provided, however,~~ That any ~~such~~ connection with and use of a public electric utility for purposes of the initial construction and development within the ~~high impact Industrial business development~~ microgrid district shall not impact ~~Industrial a~~ plant or facility's status as new electric ~~generating~~ load in order to take advantage of the provisions of this section.

(e) ~~Special rates~~ Microgrid customers; Special contracts and rates. — In furtherance of the creation of a ~~high impact Industrial business development district,~~ After certification of a microgrid district, the Public Service Commission may approve special electric utility rates contracts for an ~~eligible retail electric a~~

microgrid customer within the high-impact Industrial business development microgrid district. For purposes of this section, a "special contract" is:

(1) a written agreement between an electric utility and an eligible retail electric microgrid customer within the microgrid district that is filed with the Public Service Commission and that provides that an eligible retail electric microgrid customer will receive utility service on terms and conditions, including rates, that vary from the utility's tariff on file with the Public Service Commission, or

(2) electric utility service terms and conditions, including rates, ordered by the Public Service Commission that vary from the electric utility's tariff to be in effect between a utility and an eligible retail electric microgrid customer when the electric utility and the eligible retail electric microgrid customer are unable to negotiate a written agreement.

~~An eligible retail electric~~ A microgrid customer seeking to apply for a special rate contract shall first enter into negotiations with the utility that provides it with electric power, within whose service territory the microgrid district is located regarding the terms and conditions of a mutually agreeable special rate contract. If the negotiations result in an agreement between the eligible retail electric microgrid customer and the utility within 120 days, the eligible retail electric customer microgrid customer and the utility shall make a joint filing jointly file with the Public Service Commission seeking approval of the proposed special rate contract. If the negotiations are unsuccessful in the 120-day period, the eligible retail electric microgrid customer may file a petition with the Public Service Commission to consider establishing a special rate contract. The Public Service Commission shall have the authority to establish a special rate upon the filing of either a joint filing or a petition pursuant to this section. The Public Service Commission shall consider all relevant factors in establishing a special contract. Upon the filing of a petition pursuant to this section, the Public Service Commission shall establish a special contract for the provision of requested service, including backup and supplemental service to a microgrid customer within the

microgrid district. Microgrid customers' load within the microgrid district not covered by a contract for back up and supplemental service shall be considered non-firm and interruptible. The Public Service Commission shall establish a special contract upon the filing of a petition pursuant to this section and shall do so within 90 days of filing.

~~(f) The provisions of this section shall expire on June 30, 2028: Provided, That the expiration of this section shall not affect any high impact Industrial business development district previously approved by the secretary~~ Electrical infrastructure costs. — Regulated electric utility customers shall not bear any costs including, but not limited to, construction, operational, ancillary services, grid-related, energy-related, or capacity-related associated with any electricity generation, transmission or distribution facilities that provide electrical service to a microgrid district. Any costs of this nature are to be borne by the generator or electricity consumers situated within the microgrid district.

(g)(1) Payment In Lieu Of Taxes Electricity Generation and Distribution — Notwithstanding the provisions of §5D-1-14, §7-5-13, §7-11B-3(b), §7-11B-8(c)(4), §7-11B-15(a)(7), §7-11B-15(a)(15), §7-11B-18, §8-19-4, §8-29A-7, §8A-12-12, §11-13-2p, §11-13C-5(l)(1)(A), §16-13A-21, §16-15-18(b)(6), §17-16A-16(b), §17-16B-20(b), §18-9A-12(c), § 31-21-5, and §31-21-15 of this code, or any other provision of this code, no payment in lieu of taxes shall be entered into with relation to the property of any electricity generating plant, facility, or generating unit or any property comprising, in whole or in part, any electricity distribution apparatus, equipment, lines or facilities (A) located in the county and (B) directly or indirectly dedicated to providing electric power to any plant, facility or property subject to this subsection. Nor shall any payment in lieu of taxes be entered into with relation to any leasehold interest or any other property interest related thereto.

(2) Tax Increment Financing — Notwithstanding the provisions of §7-11B-1 et seq. of this code, or any other provision of this code, no tax increment financing project, plan or arrangement shall be entered into or undertaken with relation to

any electricity generation or distribution property subject to this subsection.

(3) For purposes of this subsection, an electricity generating plant, facility, or generating unit or electricity distribution apparatus, equipment, lines, or facilities shall be deemed to be "dedicated" to providing electric power to any plant, facility, or property subject to this subsection if not less than 75% of the output of the electricity generation property or electricity distribution property, measured in kilowatt hours, are used to supply electricity to a facility, project, or series of related or integrated facilities within the county or counties subject to this subsection.

(4) For purposes of this section, property includes all real property, all buildings and structures affixed to land, and all tangible personal property, including, but not limited to equipment, inventories and mobile equipment, and also including property subject to special salvage valuation under §11-6A-1 *et seq.*, §11-6E-1 *et seq.*, §11-6H-1 *et seq.*, §11-6J-1 *et seq.*, §11-6F-1 *et seq.*, and §11-6L-1 *et seq.* of this code, or any other special *ad valorem* property valuation provision of this code; *Provided*, That property subject to special valuation shall be allowed that special valuation as authorized by law, for purposes of calculating and determining the *ad valorem* property tax imposed with relation thereto, notwithstanding being otherwise subject to the provisions of this section.

(h) *Microgrid District Development; Letters of Intent* — To become a certified microgrid district under this section, the person or entity must present the Secretary of the Department of Commerce with a confidential letter of intent. The letter of intent shall include sufficient economic, financial, and engineering information concerning the proposed project with sufficient detail to adequately inform the department of the size, scope, and nature of the target customers of the project, including, without limitation, the approximate proposed acreage and location, estimated capital investment, evidence of financial capacity, estimated project completion date, major project milestones, estimated generation capacity, estimated power loading internal to the microgrid, estimated power, including backup power, needed from the local

distribution electric utility, estimated power supplied to the wholesale market, and the types or sources of each electric power generation unit. The letter of intent and all supplied information shall be held in confidence pursuant to §5B-2-21a(e) of this code by the department.

(i) *Microgrid District Development; Notice Period and Negotiation* — At least 120 days before submitting a letter of intent and other materials to the department, an applicant seeking a microgrid district certification must make good faith efforts to negotiate for the supply of all or part of its electricity needs for the project from the local distribution electric utility. The letter of intent must also include documentation evidencing the good faith efforts to negotiate. This time-period limitation and negotiation requirement does not apply to microgrid districts proposing to produce 300 megawatts or more of electricity or for microgrid districts that are proposing to not be connected in any way to the local distribution electric utility after completion of all construction.

(j) *Microgrid District Development; Special Contracts and Power Rates* — (1) A certified microgrid district seeking to apply for a special contract from a local distribution electric utility located in the state shall first enter negotiations for not more than 120 days with the local distribution utility regarding the terms and conditions of a special contract. The microgrid district shall provide reasonable access and terms to the local distribution utility to enable the electric utility's transmission and/or distribution facilities to tie into those of the microgrid district. The 120-day negotiation period required by this section may be satisfied by the precertification negotiation period required by §5B-2-21(i) of this code.

(2) If the negotiations result in a mutually agreeable special contract, the contracting parties shall jointly file the special contract pursuant to the rules of the commission.

(3) If negotiations for a special contract with the local distribution utility are unsuccessful, a certified microgrid district

may file a petition with the commission to establish a special contract.

(4) The commission shall establish a special contract upon the filing of a petition pursuant to this section. The Public Service Commission shall consider all relevant factors in establishing special contracts. The Public Service Commission shall establish a special rate for the requested service, including backup and supplemental service to a microgrid district. The microgrid district's load not covered by a contract shall be considered non-firm and interruptible. The commission shall issue a final order determining the terms of a special contract within 90 days of filing of a petition.

§5B-2-21a. Data Centers.

(a) Findings and purpose. — The Legislature hereby finds and declares the following:

(1) Data centers represent a significant and growing sector of the economy, generating substantial economic activity, including jobs, infrastructure investments, and technological innovation.

(2) Data centers are critical national infrastructure that require abundant, low-cost energy to protect sensitive data, operate high-level computation assets, and ensure the resilience of the digital economy.

(3) The People's Republic of China is positioning itself to be the global leader of data centers and is investing in technology to encourage the flow of data toward China instead of toward the United States.

(4) It is in the United States' national security interests to limit the flow of data to China and to protect the flow of data and maximize computational power inside the United States. The President has declared that it is the policy of the United States "to sustain and enhance America's global AI dominance in order to promote human flourishing, economic competitiveness and national security." Removing Barriers to American Leadership in Artificial Intelligence, Executive Order 14179 (Jan 23, 2025).

(5) As of early 2025, the highest concentration of high-level computational power and data centers in the world is located in Loudoun County, Virginia. This severe concentration of data centers in one location is a national security vulnerability because it invites the potential for cyberattacks and espionage against the Nation's critical data infrastructure.

(6) Data centers have historically obtained their electricity from the electric grid. Some data center developers now seek or require the use of microgrids to provide their primary and backup power.

(7) West Virginia is strategically positioned as the best location in the United States to place data centers due to: (A) its close proximity to Washington, D.C., and the federal government; (B) its close proximity to the majority of the Nation's population; (C) its low tax rates; (D) it having the least restrictive regulatory environment in the Nation; (E) its supply of abundant energy and natural resources to power the data centers; (F) its supply of resources, such as coal mine methane blended with natural gas, to assist data centers locating in West Virginia to meet their energy needs and environmental goals; and (G) its skilled and loyal workforce that has some of the lowest turnover rates in the Nation.

As such, the state has a significant interest in encouraging the development and expansion of data centers, which can serve as drivers of broader economic growth. The Legislature finds that these externalities transcend local borders, including environmental concerns, energy consumption, and regional economic growth. Additionally, the provisions in this section align with the Legislature's goal of fostering a competitive, forward-thinking economy that benefits all residents.

(b) *Program established.* — The High Impact Data Center Program is hereby created and is to be administered as a program within the Division of Economic Development to encourage the continued development, construction, operation, maintenance, and expansion in West Virginia of high impact data centers. In order to effectuate the purposes of this section, the Division of Economic Development, or any agency, division, or subdivision thereof, may

promulgate legislative rules, including emergency rules, in accordance with §29A-3-1 et seq. of this code.

(c) Notification. — Any data center shall compare its current or planned operations against the definition of "high impact data center" established in §11-6N-2 of this code and provide notification to the Division of Economic Development when the data center becomes aware that it will satisfy or has satisfied that definition. The notification will include information addressing the elements of that definition, including known or expected power consumption of the data center. This notification shall be made (1) within 30 days after the data center determines that it meets these requirements, or (2) when the data center reasonably anticipates that it will, at some future date, meet these requirements, in which case the data center may provide that anticipated future date in its notification.

(d) Certification. — The Secretary of the Department of Commerce shall identify and certify high impact data centers in this state upon a finding that a data center satisfies the requirements for the definition of "high impact data center" set forth in §11-6N-2 of this code. The Secretary shall issue confirmation of certification to a high impact data center within 14 days following receipt of the notification from the data center required by this section.

(e) Recordkeeping. — Any information provided by a data center pursuant to this section that is identified by the data center as confidential business information shall be exempt from the Freedom of Information Act. The Secretary shall take reasonable and appropriate steps to protect this information. Notwithstanding the foregoing, the Secretary shall maintain a complete list of all certified high impact data centers and all relevant information that can be made available to the Governor and Legislature, removing specifically identifying information to ensure confidentiality of any such information as identified by any high impact data center.

§5B-2-21b. Authority to assist certified microgrid district projects and certified high impact data center projects; legislative findings.

(a) Findings and purpose. — The Legislature hereby finds and declares the following:

(1) The findings and purpose set forth in §5B-2-21a(a) (2025), except to the extent expressly modified herein, are hereby incorporated herein by reference with the same force and effect as though fully set forth herein.

(2) It is in the best interests of the state to induce and assist in development of these projects, in order to advance the public purposes of relieving unemployment by preserving and creating jobs, and preserving and creating new and greater sources of revenue for the support of public services provided by the state and local government.

(3) It is the intent of the Legislature to occupy the whole field of the creation and regulation of certified microgrid districts and certified high impact data centers. The stated purpose of this section is to promote uniform and consistent application of the act within the state.

(b) The Department of Commerce shall assist projects developing or operating a certified microgrid district pursuant to §5B-2-21 of this code or a certified high impact data center pursuant to §5B-2-21a of this code. The Secretary of Commerce shall designate one of their personnel as "Data Economy Liaison" to serve as a single point-of-contact for certified microgrid districts and high impact data centers to assist coordinate and expedite their development and operation, including, but not limited to site selection and permitting. A "certified microgrid district" is a microgrid project, regardless of stage of development or operation, that has been certified by the Secretary of the Department of Commerce as set forth in §5B-2-21 of this code. A "certified high impact data center" is a data center project, regardless of stage of development or operation, that has been certified by the Secretary of the Department of Commerce as set forth in §5B-2-21a of this code.

(c) This section prohibits:

(1) Counties and municipalities, whether by ordinance, resolution, administrative act, or otherwise, from enacting, adopting, implementing, or enforcing ordinances, regulations, or rules which limit, in any way, the creation of, and acquisition, construction, equipping, development, expansion, and operation of any certified microgrid district or certified high impact data center project; and

(2) Counties and municipalities from imposing or enforcing local laws and ordinances concerning the creation or regulation of any certified microgrid district or certified high impact data center therein.

(d) In accordance with §5B-2-21(b) and §5B-2-21(c) of this code, and notwithstanding any provision of this code to the contrary, or any municipality's home rule powers with respect to ordinances and ordinance procedures, including any authority pursuant to the Municipal Home Rule Program under §8-1-5a of this code, certified microgrid districts and certified high impact data centers may not be subject to the following:

(1) County or municipal zoning, horticultural, noise, viewshed, lighting, development, or land use ordinances, restrictions, limitations, or approvals;

(2) County or municipal building permitting, inspection, or code enforcement;

(3) County or municipal license requirements;

(4) The legal jurisdiction of the county or municipality in which the certified microgrid district or certified high impact data center is entirely or partially located, except as specifically provided in this article;

(5) Any requirement under state law for the consent or approval of the municipality in which a certified microgrid district or certified high impact data center is entirely or partially located of any state or county action pursuant to this code, specifically including, but not limited to, §7-11B-1 *et seq.* of this code, for formal consent of the governing body of a municipality for county

or state action regarding the establishment of tax increment financing development or redevelopment districts or the approval of tax increment financing development or redevelopment plans.

(e) Notwithstanding the creation of a certified microgrid district or a certified high impact data center, the owner, operator, or manager, as applicable, and all tenants, lessees or licensees thereof, of a certified microgrid district or a certified high impact data center shall:

(1) Pay business and occupation tax, if applicable, pursuant to §8-13-5 of this code, to the municipality in the same manner as any other business or commercial venture located within the municipality;

(2) Collect and remit municipal sales and service tax and municipal use tax, if applicable, pursuant to §8-1-5a, §8-13C-4, and §8-13C-5 of this code, to the municipality in the same manner as any other business or commercial venture located within the municipality;

(3) Pay ad valorem real and personal property tax pursuant to the same millage rates as any other business or commercial venture located within the county and municipality;

(4) Pay all municipal service fees enacted pursuant to §8-13-13 of this code, including, but not limited to, fire, police, sanitation, or city service fees;

(5) Pay all utility rates, fees, and charges for utilities used or consumed during construction and operation of premises within the certified microgrid district or certified high impact data center, including, but not limited to, water, sewer, stormwater, and garbage and recycling collection: *Provided*, That (A) The rates, fees, and charges for such services shall be based on the cost of providing such service and the utility shall enter into a contract under the rules of the Public Service Commission for each such service with the developer and file the special contract with the Public Service Commission; and (B) the developer shall only be required to pay any capacity improvement fee or impact fee to the extent that

capital additions, betterments, and improvements must be designed, acquired, constructed, and equipped by the utility to provide such service to the project; Utility customers outside of the microgrid district shall not bear any construction or operational costs associated with any new utility property built solely to provide service within a microgrid district;

(6) Be entitled to municipal police protection and municipal fire protection, if available, in the same manner as any other business or commercial venture located within the municipality; and

(7) Design, acquire, construct, and equip the certified microgrid district or certified data center pursuant to the State Building Code in accordance with §8-12-13 of this code and the corresponding State Rule 87 CSR 4.

(f) The Department of Commerce, Department of Environmental Protection, and Department of Transportation may take actions necessary in support of the development of any certified microgrid district or certified data center, including, but not limited to, the development or improvement of such highways, roads, thoroughfares, and sidewalks within any county or municipality in which the certified microgrid district or certified data center is partially or entirely located.

(g) In order to effectuate the purposes of this section, the Department of Commerce, or any agency, division, or subdivision thereof, may promulgate legislative rules, including emergency rules, in accordance with §29A-3-1 *et seq.* of this code.

ARTICLE 2N. GRID STABILIZATION AND SECURITY ACT OF 2023.

§5B-2N-2a. Creating a Electronic Grid Stabilization and Security Fund.

(a) The Electronic Grid Stabilization and Security Fund is hereby created. The fund shall be administered by the Department of Commerce and shall consist of all moneys made available for

the purposes and from the sources set forth in this section of the code.

(b) The fund consists of moneys received from the following sources:

(1) All moneys received pursuant to §11-6N-4(b)(4)(C) of this code;

(2) All appropriations provided by the Legislature;

(3) Any moneys available from external sources; and

(4) All interest and other income earned from investment of moneys in the fund.

(c) The Department of Commerce shall use moneys in the fund to provide support for electric grid stabilization for regulated utilities and grid security, including development, efficiency, and environmental upgrades, but not decommissioning and replacement of existing facilities; maintenance of utility owned and operated coal and natural gas electric generation, regardless of unit or plant ownership by different regulatory jurisdictions; transmission resources which solely serve West Virginia rate payers.

(d) Any balance, including accrued interest and any other returns, in the Electronic Grid Stabilization and Security Fund at the end of each fiscal year may not expire to the General Revenue Fund but remain in the fund and be expended for the purposes provided by this section.

(e) Fund balances may be invested with the state's Consolidated Investment Fund. Earnings on the investments shall be used solely for the purposes defined in §5B-2-16(c) of this code.

(f) In order to effectuate the purposes of this section, the Department of Commerce may promulgate legislative rules, including emergency rules, in accordance with §29A-3-1 *et seq.* of this code.

CHAPTER 11. TAXATION.

ARTICLE 6N. SPECIAL METHOD FOR VALUATION OF CERTAIN HIGH-TECHNOLOGY PROPERTY.

§11-6N-1. Legislative findings and purpose.

The Legislature hereby finds and declares the following:

The findings and purpose set forth in §5B-2-21a(a) (2025) (except to the extent expressly modified herein) are hereby incorporated herein by reference with the same force and effect as though fully set forth herein.

§11-6N-2. Definitions.

(a) *General* — When used in this article, words defined in §11-6N-2(b) of this code have the meanings ascribed to them in this section, except in those instances where a different meaning is provided in this article or the context in which the word is used clearly indicates that a different meaning is intended by the Legislature.

(b) *Definitions* — For purposes of this section, the following terms shall mean:

(1) "Affiliated group" means one or more chains of corporations, limited liability entities, or partnerships, or any combination thereof, connected through the ownership of stock or ownership interests with a common parent which is a corporation, limited liability entity, or partnership, but only if the common parent owns directly, or indirectly, a controlling interest in each of the members of the group.

(2) "Base assessed value" means the taxable assessed value of all data center property of a high impact data center as shown upon the landbooks and personal property books of the assessor on July 1 of the calendar year preceding certification as a high impact data center.

(3) "Current assessed value" means the annual taxable assessed value of all data center property of a high impact data center as shown upon the landbook and personal property records of the assessor.

(4) "Critical IT load" means that portion of electric power capacity, expressed in terms of megawatts, which is reserved solely for owners or tenants of a data center to operate their computer server and required supporting equipment.

(5) "Data center property" means property used exclusively at a data center to construct, outfit, operate, support, power, cool, dehumidify, secure, or protect a data center and any contiguous dedicated substations. The term includes, but is not limited to, construction materials, component parts, machinery, equipment, computers, servers, installations, redundancies, and operating or enabling software, including any replacements, updates and new versions, and upgrades to or for such property, regardless of whether the property is a fixture or is otherwise affixed to or incorporated into real property.

(6) "High Impact Data Center" means a facility or group of facilities that:

(A) Consists of one or more parcels in this state, along with the buildings, substations and other infrastructure, fixtures, and personal property located on the parcels;

(B) Is owned, operated, or leased by an entity or affiliated group of entities;

(C) Is used to house and operate equipment that receives, stores, aggregates, manages, processes, transforms, retrieves, researches, or transmits data; or that is necessary for the proper operation of equipment that receives, stores, aggregates, manages, processes, transforms, retrieves, researches, or transmits data;

(D) Has a critical IT load in the aggregate of 90 megawatts total or higher; and

(E) Is placed into service on or after July 1, 2025.

(7) "Incremental value", for any high impact data center, means the difference between the base assessed value and the current assessed value. The incremental value will be positive if the current value exceeds the base value, and the incremental value will be negative if the current value is less than the base assessed value.

(8) "Microgrid power generator" includes any entity supplying power under the rules provided in §5B-2-21 of this code to a high impact data center.

(9) "Microgrid power generator property" means and includes any and all property used by microgrid power generator within a certified microgrid district.

(10) "Situs county" means the county or counties in which any High Impact Data Center property subject to tax is located, in relative proportion to the amount of data center property located therein.

(11) "Tax increment" means the amount of regular levy property taxes attributable to the amount by which the current assessed value of real and tangible personal property that is data center property of a high impact data center exceeds the base assessed value of the property.

§11-6N-3. Returns of property of high impact data centers to Board of Public Works.

(a) On or before May 1 in each year, a return in writing shall be filed with the Board of Public Works: By the owner or operator of any company holding data center property of a high impact data center or a microgrid power generator supplying microgrid power to a high impact data center.

(b) The words "owner or operator," as applied herein to high impact data centers, shall include any owner or operator of a high impact data center or microgrid power generator.

(c) The return shall be signed and sworn to by the owner or operator if a natural person, or, if the owner or operator shall be a

corporation, shall be signed and sworn to by its president, vice president, secretary, or principal accounting officer.

(d) The return required by this section of every owner or operator shall cover the year ending on December 31, next preceding, and shall be made on forms prescribed by the Board of Public Works, which board is hereby invested with full power and authority and it is hereby made its duty to prescribe the forms required from any owner or operator herein mentioned information as in the judgment of the board may be of use to it in determining the true and actual value of the properties of the owners or operators.

(e) Except for the special rules for tax distribution provided in §11-6N-4 of this code, the provisions of this article are subject to the Assessment of Public Service Businesses, set forth in §11-6-1, et seq. of this code, as if the provisions thereof were set forth in extenso in this article.

§11-6N-4. Special Rules for Tax Distribution of High Impact Data Centers.

(a) On and after July 1, 2025, any property subject to valuation under §11-6N-3 of this code shall be subject to the rules on tax distribution provided under this section.

(b) The State Auditor shall maintain a separate and discrete accounting of each High Impact Data Center project regarding tax distribution provided in this section and any distribution to which a county is entitled as provided by this section shall be distributed directly to the situs county for each project.

(c) *Ad Valorem* Property Tax Distribution — The provisions of this subsection are applicable to all data center property of a high impact data center upon certification as a high impact data center per §11-6N-2 of this code.

(1) For so long as the high impact data center exists, the State Auditor shall divide the *ad valorem* property tax revenue collected, with respect to taxable data center property of a high impact data center as follows:

(A) The amount of *ad valorem* property tax revenue that should be generated by multiplying the assessed value of the property for the then current tax year by the aggregate of applicable levy rates for the tax year;

(B) The amount of *ad valorem* property tax revenue that should be generated by multiplying the base assessed value of the property by the applicable regular *ad valorem* levy rates for the tax year;

(C) The amount of *ad valorem* tax revenue that should be generated by multiplying the base assessed value of the property for the current tax year by the applicable levy rates for general obligation bond debt service for the tax year;

(D) The amount of *ad valorem* property tax revenue that should be generated by multiplying the current assessed value of the property for the current tax year by the applicable excess levy rates for the tax year; and

(E) The amount of *ad valorem* property tax revenue that should be generated by multiplying the incremental value by the applicable regular levy rates for the tax year.

(2) The State Auditor shall determine from the calculations set forth in subdivision (1) of this subsection the percentage share of total *ad valorem* revenue for each levying body according to paragraphs (B) through (D), inclusive, of said subdivision by dividing each of such amounts by the total *ad valorem* revenue figure determined by the calculation in paragraph (A) of said subdivision; and

(3) On each date on which *ad valorem* tax revenue is to be distributed to the levying bodies, such revenue shall be distributed by:

(A) Applying the percentage share determined according to paragraph (B), subdivision (1) of this subsection to the revenues received and distributing such share to the levying bodies entitled to such distribution pursuant to current law;

(B) Applying the percentage share determined according to paragraph (C), subdivision (1) of this subsection to the revenues received and distributing such share to the levying bodies entitled to such distribution by reason of having general obligation bonds outstanding;

(C) Applying the percentage share determined according to paragraph (D), subdivision (1) of this subsection to the revenues received and distributing such share to the levying bodies entitled to such distribution by reason of having excess levies in effect for the tax year; and

(D) Applying the percentage share determined according to paragraph (E), subdivision (1) of this subsection to the revenues received and distributing such share to a fund dedicated at the time of construction of a high impact data center.

(4) In each year for which there is a positive tax increment, the State Auditor shall remit that portion of the *ad valorem* property taxes collected that consists of the tax increment and shall be distributed as follows:

(A) 55 percent of the increment shall be placed in the Personal Income Tax Reduction Fund provided in §11B-2-33 of this code;

(B) 30 percent of the increment to a county in which a data center is located;

(C) 5 percent of the increment to all counties on a per capita basis according to the most recent census;

(D) 5 percent of the increment shall be placed in the state road fund;

(E) 5 percent of the increment shall be placed in the Economic Enhancement Grant Fund administered by the Water Development Authority provided in §22C-1-6a.

(5)(A) *Payment In Lieu Of Taxes, Increment Property* — Notwithstanding the provisions of §5D-1-14, §7-5-13, §7-11B-3(b), §7-11B-8(c)(4), §7-11B-15(a)(7), §7-11B-15(a)(15), §7-

11B-18, §8-19-4, §8-29A-7, §8A-12-12, §11-13-2p, §11-13C-5(l)(1)(A), §16-13A-21, §16-15-18(b)(6), §17-16A-16(b), §17-16B-20(b), §18-9A-12(c), §31-21-5, and §31-21-15 of this code, or any other provision of this code, no payment in lieu of taxes shall be entered into with relation to any property subject to this section or any leasehold interest related thereto, or any other property interest related thereto.

(B) *Tax Increment Financing, Increment Property* — Notwithstanding the provisions of §7-11B-1 *et seq.* of this code, or any other provision of this code, no tax increment financing project, plan or arrangement shall be entered into or undertaken with relation to any property subject to this section.

§11-6N-5. Termination.

The provisions of this article shall sunset, expire, and be of no force and effect on or after December 31, 2055.

ARTICLE 8. LEVIES.

§11-8-6E. Effect on regular levy rate when appraisal results in tax increase; public hearings.

[Repealed].

CHAPTER 11B. DEPARTMENT OF REVENUE

ARTICLE 2. STATE BUDGET OFFICE.

§11B-2-33. Personal Income Tax Reduction Fund.

(a) The personal income tax reduction fund is hereby established. The personal income tax reduction fund shall be funded continuously and on a revolving basis in accordance with this section, with all interest or other earnings on the moneys therein credited to the fund. The personal income tax reduction fund shall be funded as provided in §11-6N-4(b)(4) of this code. Moneys in the personal income tax reduction fund may be expended solely for the purposes set forth in this section.

(b) Notwithstanding any other provision of this code to the contrary, on or before the last day of any fiscal year, the net proceeds of the personal income tax reduction fund will be certified and included as a portion of adjusted general revenue fund collections under the provisions of §11-21-4h of this code for that fiscal year.

(c) Not later than 60 days following the certification, the Secretary of Revenue shall transfer the certified amount determined in subsection (b) of this section to the general revenue fund. The amounts transferred will not be included as a portion of adjusted general revenue fund collections under the provisions of §11-21-4h of this code for the fiscal year in which the money is transferred.

(d) The moneys in the income tax reduction fund shall be made available to the West Virginia Board of Treasury Investments and to the West Virginia Investment Management Board for management and investment of the moneys in accordance with the provisions of §12-6C-1 *et seq.* of this code in such amounts as may be directed in the discretion of the Secretary of Revenue. Any balance of the income tax reduction fund, including accrued interest and other return earned thereon at the end of any fiscal year, shall not revert to the General Fund but shall remain in the income tax reduction fund for the purposes set forth in this section.

(e) Termination – Upon the certification of a reduction in the personal income tax under the provisions of §11-21-4h of this code that results in the elimination of the personal income tax, or if the personal income tax provided for under §11-21-1 *et seq.* is eliminated by separate enactment of the Legislature, this fund will be thereby eliminated and any monies dedicated thereto shall be dedicated to the general revenue of the state.

CHAPTER 24. PUBLIC SERVICE COMMISSION.

ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.

§24-2-1d. Future electric generating capacity requirements.

(a) In order to maximize the use of electricity generated within the state by using coal or natural gas produced within the state, the Public Service Commission shall by order, no later than December 31, 1989, establish the schedule and amount of future electric generating capacity additions required by each West Virginia electric utility, for the next ten years, taking into account: (i) Projected load growth; (ii) existing generating capacity; (iii) existing contractual commitments to sell or purchase capacity; (iv) planned retirement and life extensions of existing capacity; (v) planned construction of capacity; (vi) availability of capacity from generating units of affiliated companies; (vii) capacity factors for existing generation; and ~~(vii)~~ (viii) such other reasonable factors as the commission may deem relevant and appropriate to consider. For purposes of this section, "capacity factor" shall mean the ratio of the actual energy produced by a power plant over a specific period to the maximum possible energy it could have produced if running at full capacity during that same period.

(b) If the commission determines after considering all such named and other relevant and appropriate factors that a utility will be required to purchase electric generating capacity beyond those agreements approved by the Federal Energy Regulatory Commission or the West Virginia Public Service Commission in order to serve its West Virginia customers, the amount of such required additional purchased capacity so identified by the commission will for purposes of this section be referred to as the utility's "projected deficient capacity": *Provided*, That this subsection shall not include power generating facilities whose total production of electricity is sold outside the State of West Virginia.

(c) In the interests of: Keeping utility rates of residential customers as low as possible; keeping utility rates for commercial and industrial customers competitive with those of other states; attracting new industry for which electric power costs are a major factor in location determinations; and of not placing any greater cost burden on government than is absolutely necessary for its electric power needs, each utility shall acquire, if reasonable, its projected deficient capacity from electric generation situated in West Virginia which burns coal or gas produced in West Virginia

and which will provide the most reliable supply of capacity and energy at the least cost to those customers of the utility who will be served by such electric generation: *Provided*, That all power purchase contracts executed prior to the effective date of this section which satisfy the following requirements, regardless of location, shall be considered, for the purposes of this subsection, as electric generation situated in West Virginia: (1) Said contracts were negotiated in accordance with procedures and priced according to methodologies of other contracts which the commission has ordered approved; (2) said contracts either guarantee or are substantially amended to guarantee for the life of the contract the use of an amount of West Virginia fuel which equals or exceeds the amount which would be required, on a percentage of output basis, to produce the amount of electric power to be consumed in West Virginia; and (3) said contracts meet the requirements for a qualifying facility established by the Federal Energy Regulatory Commission pursuant to the Public Utility Regulatory Policies Act of 1978.

(d) The commission shall evaluate each capacity auction conducted by PJM Interconnection, LLC, or its successor and, to the maximum extent permitted by law, encourage the coordination of the voluntary participation of every electric generating unit in the state in each capacity auction for the benefit of ratepayers in the state.

(e) In order to ensure the state's existing generating units can continue to meet future generation needs, the commission shall conduct a review of each generating unit's current consumer economic dispatch. Factors to be considered by the commission in reviewing consumer economic dispatch shall include, but not be limited to: (1) current capacity factors; (2) management of fuel supplies and contracts; (3) overall plant operation and maintenance; (4) placement of bids in the PJM Interconnection, LLC, or its successor's day-ahead and real-time energy markets; (5) utilization of the PJM Interconnection, LLC, or its successor's Reliability Pricing Model (RPM) or Fixed Resource Requirement (FRR); and (6) the utilization of automatic adjustment clauses, price indexes, or fuel adjustment clauses by the utilities. For

purposes of this section, "consumer economic dispatch" shall mean the process of operating generation facilities to produce electricity at the lowest cost while reliably meeting consumer demand, considering the operational limits of generation and transmission facilities.

(f) Electric utilities shall be prepared to maximize the production of electricity from their generating units when such self-generation will result in reduced energy costs for West Virginia ratepayers. The commission shall require the utilities to maintain their thermal baseload generating units in a manner to allow them to be able to self-generate and achieve at least a sixty-nine percent capacity factor. Nothing herein shall require a utility to operate a generating unit at a sixty-nine percent capacity if doing so will cause an increase in the charge or charges for electric energy over and above the established and published tariff, rate, joint rate, charge, toll or schedule. The commission shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code to carry out its duties and obligations as set forth herein.

§24-2-1q. Base fuel coal supply requirements for electric grid resiliency.

Any coal fired power plant owned by a public electric utility as of the effective date of this section shall, Recognizing that coal inventories at coal-fired power plants may increase and decrease over time, in order to ensure grid resiliency and homeland security, each generating public utility shall plan incoming and outgoing coal so as to maintain a an average annual minimum 30-day aggregate coal supply on site at each coal-fired power plant under contract for the remainder of the life of those plants. The commission may propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code to carry out its duties and obligations as set forth herein.

§24-2-15. Certain Automatic adjustment clauses, price indexes or fuel adjustment clauses prohibited.

The commission shall not enforce, originate, continue, establish, change or otherwise authorize or permit an increase in the charge or charges for electric energy over and above the established and published tariff, rate, joint rate, charge, toll or schedule ~~through~~ as the result of any automatic adjustment clause, fuel supply price index, or fuel adjustment clause. Automatic adjustment clauses, fuel supply contract price indexes, or fuel adjustment clauses that do not create a net increase in the charge or charges for electric energy over and above the established and published tariff, rate, joint rate, charge, toll, or schedule shall be permitted by the commission. For purposes of this section, a "net increase" in the charge or charges for electric service shall mean that for the calendar year in which the automatic adjustment clause, fuel supply contract price index, or fuel adjustment clause is utilized, the average charge or charges for electric energy are higher than they would have been if the adjustment clause, fuel supply contract price index, or fuel adjustment clause were not utilized. The commission shall encourage the use of permitted automatic adjustment clauses, fuel supply contract price indexes, or fuel adjustment clauses as a means of increasing the generation of coal-fired power plants within the state. The Commission shall promulgate procedural rules governing the utilization of automatic adjustment clauses, fuel supply contract price indexes, and fuel adjustment clauses.

§24-2-19. Integrated Resource Planning Required.

(a) Not later than March 31, 2015, the Public Service Commission shall issue an order directing any electric utility that does not have an existing requirement approved by the Public Service Commission that provides for the future review of both supply side and demand side resources to develop an initial integrated resource plan to be filed not later than January 1, 2016, in conjunction with other similar deadlines required by other states or entities of the electric utilities. This order may include guidelines for developing an integrated resource plan.

(b)(1) Any electric utility that has an existing requirement approved by the Public Service Commission that provides for the future review of both supply side and demand side resources is

exempt from this initial integrated resource plan filing until such time as that existing requirement has been satisfied. Thereafter, such electric utility is required to file an integrated resource plan pursuant to §24-2-19(a) of this code.

(2) Each electric utility that has filed the initial integrated resource plan shall file an updated plan at least every five years after the initial integrated resource plan has been filed. Any electric utility that was exempt from filing an initial integrated resource plan shall file an integrated resource plan within five years of satisfying any existing requirement and at least every five years thereafter. All integrated resource plans shall comply with the provisions of any relevant order of the Public Service Commission establishing guidelines for the format and contents of updated and revised integrated resource plans.

(c) The Public Service Commission shall analyze and review an integrated resource plan. The Public Service Commission may request further information from the utility, as necessary. Nothing in this section affects the obligations of utilities to obtain otherwise applicable commission approvals.

(d) The Commission may consider both supply-side and demand-side resources when developing the requirements for the integrated resource plans. The plan shall compare projected peak demands with current and planned capacity resources in order to develop a portfolio of resources that represents a reasonable balance of cost and risk for the utility and its customers in meeting future demand for the provision of adequate and reliable service to its electric customers as specified by the Public Service Commission.

(e) The commission shall by order, entered no later than July 1, 2025, require all electric utilities operating in the state to supplement their existing integrated resource plans to include a detailed plant upgrade and maintenance plan, improvement compliance schedule, and cost estimate for ensuring the operation of each generating unit through their planned retirement date. The supplemental integrated resource plan shall also include an analysis of the action necessary to extend the life of each generating unit

beyond their planned retirement date. Subject to notice and comment from interested parties, the commission may approve the supplemental integrated resource plan without modification or require modification of the supplemental plan before it is approved. The commission shall promulgate rules requiring the supplementation of integrated resource plans as required by this provision. The rules shall also provide a procedure for utilities to submit an independent evaluation of any modification required by the commission hereunder or to challenge such required modification.

On motion of Senator Jeffries, the following amendments to the Economic Development committee amendment to the bill (Eng. Com. Sub. for H. B. 2014) were reported by the Clerk, considered simultaneously, and adopted:

On page 21, section 4, lines 55 and 56, by striking out all of paragraph (E) and inserting in lieu thereof a new paragraph (E) to read as follows:

(E) 5 percent of the increment shall be placed in the Electric Grid Stabilization and Security Fund provided in §5B-2N-2a.;

And,

On page 22, section 6E, by striking out the section heading and substituting therefor a new section heading to read as follows:

§11-8-6e. Effect on regular levy rate when appraisal results in tax increase; public hearings.

On motion of Senator Rose, the following amendments to the Economic Development committee amendment to the bill (Eng. Com. Sub. for H. B. 2014) were next reported by the Clerk, considered simultaneously, and adopted:

On page 3, section 21, lines 67 through 69, by striking out all of subdivision (7);

And,

On page 28, after line 40, by inserting a new section, designated section 21a, to read as follows:

§24-2-21a. Commission authority required when closing an electric generating plant and circumstances of closure in another jurisdiction.

(a) A public electric utility may not retire, abandon, close, or otherwise permanently render incapable of operating, any electric generating plant or unit without the prior consent and approval of the commission. No funds obtained from (1) the Grid Stabilization and Security Fund set forth in 5B-2N-2a, (2) an environmental control bond issued pursuant to 24-2-4(e), (3) a consumer rate relief bond issued pursuant to 24-2-4f, (4) or a utility consumer rate relief bond issued pursuant to 24-2-4h shall be used by a public utility to retire, abandon, close, or otherwise permanently render incapable of operating, any electric generating plant or unit.

(b) If an electric utility serving customers in both West Virginia and in an area not subject to the jurisdiction of the commission is ordered to cease operations of a generating plant or unit by the regulating authority of the other jurisdiction and the costs of the plant or unit had been shared through an allocation process for rate making purposes and after a commission proceeding and determination that a generating plant or unit should continue to operate, then the utility shall recover all of the capital, operating and maintenance costs of the electric generation plant or unit from its West Virginia customers to the extent that such costs are no longer allocable to the other jurisdiction, and all of the associated capacity, energy, and environmental attributes shall be assigned to its customers and operations in West Virginia.

On motion of Senator Helton, the following amendment to the Economic Development committee amendment to the bill (Eng. Com. Sub. for H. B. 2014) was next reported by the Clerk and adopted:

On page 21, section 4, line lines 49 through 56, striking out all of paragraphs (A) through (E) and inserting in lieu thereof 5 new paragraphs (A) through (E) to read as follows:

(A) 50 percent of the increment shall be placed in the Personal Income Tax Reduction Fund provided in §11B-2-33 of this code;

(B) 40 percent of the increment to a county in which a data center is located;

(C) 5 percent of the increment to all counties on a per capita basis according to the most recent census;

(D) 3 percent of the increment shall be placed in the Low Income Energy Assistance Program administered by Department of Human Services;

(E) 2 percent of the increment shall be placed in the Electronic Grid Stabilization and Security Fund provided in §5B-2N-2a.;

On motion of Senator Tarr, the following amendment to the Economic Development committee amendment to the bill (Eng. Com. Sub. for H. B. 2014) was next reported by the Clerk:

On page 19, section 4, line 2, after the word "section" by changing the period to a colon and inserting the following proviso: *Provided*, That any county that has demonstrated by written or electronic contract or correspondence dated on or before February 1, 2025 with an engineer or engineering firm for the purpose of data center development, a data center developer, site locator, data center owner or owning entity, or legal representative of such is exempt from all provisions of this section for the data center so demonstrated.

Following discussion,

The question being on the adoption of Senator Tarr's amendment to the Economic Development committee amendment to the bill, the same was put and did not prevail.

On motions of Senators Tarr and Boley, the following amendment to the Economic Development committee amendment to the bill (Eng. Com. Sub. for H. B. 2014) was next reported by the Clerk:

On page 3, section 21, line 66, after the word "market" by changing the period to a colon and inserting the following proviso: *Provided*, That, notwithstanding any other provision of this article, coal fired merchant plants in existence prior to February 1, 2025, may sell into the wholesale market as needed without limitation.

Following discussion,

The question being on the adoption of the amendment offered by Senators Tarr and Boley to the Economic Development committee amendment to the bill, the same was put and did not prevail.

On motion of Senator Martin, the following amendment to the Economic Development committee amendment to the bill (Eng. Com. Sub. for H. B. 2014) was next reported by the Clerk:

On page 22, section 6E, by striking out the entire article.

Senator Tarr arose to a point of order stating that Senator Martin's amendment to the Economic Development committee amendment to the bill was not in order, because it was submitted after the time for filing amendments had elapsed.

Which point of order, the President ruled not well taken, stating that no rule requires an amendment to be filed by a certain time.

On motion of Senator Martin, at 6:29 p.m., the Senate recessed for 10 minutes.

The Senate reconvened at 6:57 p.m. and resumed consideration of

Eng. Com. Sub. for House Bill 2014, Certified Microgrid Program.

At the request of Senator Martin, and by unanimous consent, Senator Martin's amendment to the Economic Development committee amendment to the bill was withdrawn.

The question now being on the adoption of the Economic Development committee amendment to the bill, as amended, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 2014, as just amended, was then put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for House Bill 2014 pass?"

Senator Rose 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 an employee of a public electric utility company.

The Chair replied that any impact on Senator Rose 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, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: Phillips—1.

Absent: Boley—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 H. B. 2014) passed.

At the request of Senator Jeffries, as chair of the Committee on Economic Development, and by unanimous consent, the unreported Economic Development committee amendment to the title of the bill was withdrawn.

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

Eng. Com. Sub. for House Bill 2014—A Bill to amend and reenact §5B-2-21, §24-2-1d, §24-2-1q, §24-2-4f, §24-2-15, §24-2-19, and §24-2-21a 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, and to repeal §11-8-6e of said code, all relating to the generation and consumption of power; establishing the certified microgrid development program; providing for microgrid certification requirements; providing for microgrid electric service requirements; providing for microgrid customer eligibility; providing for microgrid special contracts; prohibiting microgrids from participating in Pilot and tax increment financing programs; defining microgrid property subject to property tax; providing for microgrid letter of intent, notice period and negotiation; providing for microgrid special contracts; establishing the high impact data center program; providing for notification, certification, and recordkeeping; authorizing certain agencies to assist certified microgrid districts and certified high impact data centers; prohibiting local jurisdiction regulation of microgrid districts and high impact data centers; providing for payment of certain fees and taxes,; providing for certain services to microgrid districts and certified high impact data centers; establishing the electronic grid stabilization and security fund and its purpose; creating new article relating to special method for valuation of certain high technology property; defining terms; providing for microgrid districts and certified high impact data centers property returns to be filed with Board of Public Works; providing for special rules for tax distribution; establishing certain funds to receive distributions; terminating article; establishing the personal income tax reduction fund and providing for purpose; providing for additional duties of public service commission relating to future electric generating capacity, base fuel coal supply for electric grid resiliency, consumer rate relief bonds, and automatic adjustment clauses, price indexes, or fuel adjustment; providing for rulemaking; providing that certain funds may not be used by a public utility to close or cease operations at an electric generating plant; and relating to repeal of the effect on regular levy rate when appraisal results in tax increase.

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

At the request of Senator Morris, and by unanimous consent, the remarks by Senator Queen as to the passage of Engrossed Committee Substitute for House Bill 2014 were ordered printed in the Appendix to the Journal.

Action as to Engrossed Committee Substitute for House Bill 2014 having been concluded, the Senate proceeded to the consideration of

Eng. Com. Sub. for House Bill 3125, To remove restrictions from teachers receiving permanent teaching licenses.

On third reading, coming up in deferred order, with the right having been granted on yesterday, Thursday, April 10, 2025, for amendments to be received on third reading, was again 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.

Action as to Engrossed Committee Substitute for House Bill 3125 having been concluded, the Senate proceeded to the consideration of

Eng. House Bill 3344, Relating to the establishment of a grant program to fund the United States Food and Drug Administration's drug development trials with ibogaine.

On third reading, coming up in deferred order, was again 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.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment,

as amended by the House of Delegates, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendment, as to

Eng. Com. Sub. for House Bill 2026, Budget Bill.

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

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

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

TITLE I – GENERAL PROVISIONS.

Section 1. General policy. – The purpose of this bill is to appropriate money necessary for the economical and efficient discharge of the duties and responsibilities of the state and its agencies during the fiscal year 2026.

Sec. 2. Definitions.—For the purpose of this bill:

"Governor" shall mean the Governor of the State of West Virginia.

"Code" shall mean the Code of West Virginia, one thousand nine hundred thirty-one, as amended.

"Spending unit" shall mean the department, bureau, division, office, board, commission, agency, or institution to which an appropriation is made.

The "fiscal year 2026" shall mean the period from July 1, 2025, through June 30, 2026.

"General revenue fund" shall mean the general operating fund of the state and includes all moneys received or collected by the state except as provided in W.V. Code §12-2-2 or as otherwise provided.

"Special revenue funds" shall mean specific revenue sources which by legislative enactments are not required to be accounted for as general revenue, including federal funds.

"From collections" shall mean that part of the total appropriation which must be collected by the spending unit to be available for expenditure. If the authorized amount of collections is not collected, the total appropriation for the spending unit shall be reduced automatically by the amount of the deficiency in the collections. If the amount collected exceeds the amount designated "from collections," the excess shall be set aside in a special surplus fund and may be expended for the purpose of the spending unit as provided by Article 2, Chapter 11B of the Code.

Sec. 3. Classification of appropriations.—An appropriation for:

"Personal services" shall mean salaries, wages and other compensation paid to full-time, part-time and temporary employees of the spending unit but shall not include fees or contractual payments paid to consultants or to independent contractors engaged by the spending unit. "Personal services" shall include "annual increment" for "eligible employees" and shall be disbursed only in accordance with Article 5, Chapter 5 of the Code.

Unless otherwise specified, appropriations for "personal services" shall include salaries of heads of spending units.

"Employee benefits" shall mean social security matching, workers' compensation, unemployment compensation, pension and retirement contributions, public employees insurance matching, personnel fees or any other benefit normally paid by the employer as a direct cost of employment. Should the appropriation be insufficient to cover such costs, the remainder of such cost shall be paid by each spending unit from its "unclassified" appropriation, or its "current expenses" appropriation or other appropriate appropriation. Each spending unit is hereby authorized and required to make such payments in accordance with the provisions of Article 2, Chapter 11B of the Code.

Each spending unit shall be responsible for all contributions, payments or other costs related to coverage and claims of its employees for unemployment compensation and workers compensation. Such expenditures shall be considered an employee benefit.

"BRIM Premiums" shall mean the amount charged as consideration for insurance protection and includes the present value of projected losses and administrative expenses. Premiums are assessed for coverages, as defined in the applicable policies, for claims arising from, inter alia, general liability, wrongful acts, property, professional liability, and automobile exposures.

Should the appropriation for "BRIM Premium" be insufficient to cover such cost, the remainder of such costs shall be paid by each spending unit from its "unclassified" appropriation, its "current expenses" appropriation or any other appropriate appropriation to the Board of Risk and Insurance Management. Each spending unit is hereby authorized and required to make such payments. If there is no appropriation for "BRIM Premium" such costs shall be paid by each spending unit from its "current expenses" appropriation, "unclassified" appropriation or other appropriate appropriation.

West Virginia Council for Community and Technical College Education and Higher Education Policy Commission entities operating with special revenue funds and/or federal funds shall pay their proportionate share of the Board of Risk and Insurance Management total insurance premium cost for their respective institutions.

"Current expenses" shall mean operating costs other than personal services and shall not include equipment, repairs and alterations, buildings, or lands. Each spending unit shall be responsible for and charged monthly for all postage meter service and shall reimburse the appropriate revolving fund monthly for all such amounts. Such expenditures shall be considered a current expense.

"Equipment" shall mean equipment items which have an appreciable and calculable period of usefulness in excess of one year.

"Repairs and alterations" shall mean routine maintenance and repairs to structures and minor improvements to property which do not increase the capital assets.

"Buildings" shall include new construction and major alteration of existing structures and the improvement of lands and shall include shelter, support, storage, protection, or the improvement of a natural condition.

"Lands" shall mean the purchase of real property or interest in real property.

"Capital outlay" shall mean and include buildings, lands or buildings and lands, with such category or item of appropriation to remain in effect as provided by W.V. Code §12-3-12.

From appropriations made to the spending units of state government, upon approval of the Governor there may be transferred to a special account an amount sufficient to match federal funds under any federal act.

Appropriations classified in any of the above categories shall be expended only for the purposes as defined above and only for the spending units herein designated: *Provided*, That the secretary of each department shall have the authority to transfer within the department those general revenue funds appropriated to the various agencies of the department: *Provided, however*, That no more than five percent of the general revenue funds appropriated to any one agency or board may be transferred to other agencies or boards within the department: and no funds may be transferred to a "Personal Services and Employee Benefits" appropriation unless the source funds are also wholly from a "Personal Services and Employee Benefits" line, or unless the source funds are from another appropriation that has exclusively funded employment expenses for at least twelve consecutive months prior to the time of transfer and the position(s) supported by the transferred funds

are also permanently transferred to the receiving agency or board within the department: *Provided further*, Notwithstanding any previous provision no more than twenty-five percent of the general revenue funds appropriated to the following funds 0401, 0402, 0408, 0409, 0410, 0411, 0412, 0413, 0414 and 0415 within the Department of Health Facilities may be transferred between the aforementioned funds: *Provided further*, Notwithstanding any previous provision no general revenue funds appropriated to the following funds 0403, 0481, 0482, 0483, 0484, 0485, 0486, 0487, 0488, 0489, 0492, 0493, 0494, 0495 and 0496 within the Department of Human Services may be transferred between the aforementioned funds: and no funds may be transferred to a "Personal Services and Employee Benefits" appropriation unless the source funds are also wholly from a "Personal Services and Employee Benefits" line, or unless the source funds are from another appropriation that has exclusively funded employment expenses for at least twelve consecutive months prior to the time of transfer and the position(s) supported by the transferred funds are also permanently transferred to the receiving agency or board within the department: *Provided further*, That the secretary of each department and the director, commissioner, executive secretary, superintendent, chairman or any other agency head not governed by a departmental secretary as established by Chapter 5F of the Code shall have the authority to transfer funds appropriated to "Personal Services and Employee Benefits," "Current Expenses," "Repairs and Alterations," "Equipment," "Other Assets," "Land," "Buildings," "Contract Nursing", and "Unclassified" to other appropriations within the same account and no funds from other appropriations shall be transferred to the "Personal Services and Employee Benefits" or the "Unclassified" appropriation except that during Fiscal Year 2026, and upon approval from the State Budget Office, agencies with the appropriation "Salary and Benefits of Cabinet Secretary and Agency Heads" and "Salary and Benefits of Elected Officials" may transfer between this appropriation and the appropriation "Personal Services and Employee Benefits" an amount to cover annualized salaries and employee benefits for the fiscal year ending June 30, 2026, as provided by W.V. Code §6-7-2a: *And provided further*, That no authority exists hereunder to transfer funds into appropriations to which no funds are

legislatively appropriated: *And provided further*, That if the Legislature creates new, consolidates, reorganizes or terminates agencies, boards or functions, within any fiscal year the secretary or other appropriate agency head, or in the case of the termination of a spending unit of the state, the Director of the State Budget Office, in the absence of general law providing otherwise, may transfer the funds formerly appropriated to such agency, board or function, allocating items of appropriation as may be necessary if only part of the item may be allocated, in order to implement such consolidation, reorganization or termination. No funds may be transferred from a Special Revenue Account, dedicated account, capital expenditure account or any other account or fund specifically exempted by the Legislature from transfer, except that the use of the appropriations from the State Road Fund for the office of the Secretary of the Department of Transportation is not a use other than the purpose for which such funds were dedicated and is permitted.

Appropriations otherwise classified shall be expended only where the distribution of expenditures for different purposes cannot well be determined in advance or it is necessary or desirable to permit the spending unit the freedom to spend an appropriation for more than one of the above classifications.

Sec. 4. Method of expenditure.—Money appropriated by this bill, unless otherwise specifically directed, shall be appropriated, and expended according to the provisions of Article 3, Chapter 12 of the Code or according to any law detailing a procedure specifically limiting that article.

Sec. 5. Maximum expenditures.—No authority or requirement of law shall be interpreted as requiring or permitting an expenditure in excess of the appropriations set out in this bill.

TITLE II – APPROPRIATIONS.

ORDER OF SECTIONS

SECTION 1. Appropriations from general revenue.

SECTION 2. Appropriations from state road fund.

- SECTION 3. Appropriations from other funds.
- SECTION 4. Appropriations from lottery net profits.
- SECTION 5. Appropriations from state excess lottery revenue.
- SECTION 6. Appropriations of federal funds.
- SECTION 7. Appropriations from federal block grants.
- SECTION 8. Awards for claims against the state.
- SECTION 9. Appropriations from general revenue fund surplus accrued.
- SECTION 10. Appropriations from lottery net profits surplus accrued.
- SECTION 11. Appropriations from state excess lottery revenue surplus accrued.
- SECTION 12. Special revenue appropriations.
- SECTION 13. State improvement fund appropriations.
- SECTION 14. Specific funds and collection accounts.
- SECTION 15. Appropriations for refunding erroneous payment.
- SECTION 16. Sinking fund deficiencies.
- SECTION 17. Appropriations for local governments.
- SECTION 18. Total appropriations.
- SECTION 19. General school fund.

Section 1. Appropriations from general revenue. – From the State Fund, General Revenue, there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in

Article 2, Chapter 11B the following amounts, as itemized, for expenditure during the fiscal year 2026.

LEGISLATIVE

1 - Senate

Fund 0165 FY 2026 Org 2100

	Appropriation	General Revenue Fund
Compensation of Members (R).....	00300	\$ 1,010,000
Compensation and Per Diem of Officers and Employees (R)	00500	4,111,332
Current Expenses and Contingent Fund (R)....	02100	821,392
Repairs and Alterations (R)	06400	35,000
Technology Repair and Modernization (R).....	29800	80,000
Expenses of Members (R).....	39900	550,000
BRIM Premium (R)	91300	44,482
Total.....		\$ 6,652,206

The appropriations for the Senate for the fiscal year 2025 are to remain in full force and effect and are hereby reappropriated to June 30, 2026. Any balances so reappropriated may be transferred and credited to the fiscal year 2025 accounts.

Upon the written request of the Clerk of the Senate, the Auditor shall transfer amounts between items of the total appropriation in order to protect or increase the efficiency of the service.

The Clerk of the Senate, with the approval of the President, is authorized to draw his or her requisitions upon the Auditor, payable out of the Current Expenses and Contingent Fund of the Senate, for any bills for supplies and services that may have been incurred by the Senate and not included in the appropriation bill, for supplies and services incurred in preparation for the opening, the conduct of the business and after adjournment of any regular or extraordinary session, and for the necessary operation of the Senate offices, the

requisitions for which are to be accompanied by bills to be filed with the Auditor.

The Clerk of the Senate, with the approval of the President, or the President of the Senate shall have authority to employ such staff personnel during any session of the Legislature as shall be needed in addition to staff personnel authorized by the Senate resolution adopted during any such session. The Clerk of the Senate, with the approval of the President, or the President of the Senate shall have authority to employ such staff personnel between sessions of the Legislature as shall be needed, the compensation of all staff personnel during and between sessions of the Legislature, notwithstanding any such Senate resolution, to be fixed by the President of the Senate. The Clerk is hereby authorized to draw his or her requisitions upon the Auditor for the payment of all such staff personnel for such services, payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the Senate.

For duties imposed by law and by the Senate, the Clerk of the Senate shall be paid a monthly salary as provided by the Senate resolution, unless increased between sessions under the authority of the President, payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the Senate.

Included in the above appropriation for Senate (fund 0165, appropriation 02100), an amount not less than \$5,000 is to be used for the West Virginia Academy of Family Physicians - Doc of the Day Program.

2 - House of Delegates

Fund 0170 FY 2026 Org 2200

Compensation of Members (R).....00300	\$	3,500,000
Compensation and Per Diem of Officers and Employees (R)	00500	575,000
Current Expenses and Contingent Fund (R)....	02100	6,500,000
Expenses of Members (R).....	39900	1,350,000

Capital Outlay, Repairs and Equipment (R)	58900	500,000
BRIM Premium (R)	91300	<u>60,000</u>
Total.....		\$ 12,485,000

The appropriations for the House of Delegates for the fiscal year 2025 are to remain in full force and effect and are hereby reappropriated to June 30, 2026. Any balances so reappropriated may be transferred and credited to the fiscal year 2025 accounts.

Upon the written request of the Clerk of the House of Delegates, the Auditor shall transfer amounts between items of the total appropriation in order to protect or increase the efficiency of the service.

The Clerk of the House of Delegates, with the approval of the Speaker, is authorized to draw his or her requisitions upon the Auditor, payable out of the Current Expenses and Contingent Fund of the House of Delegates, for any bills for supplies and services that may have been incurred by the House of Delegates and not included in the appropriation bill, for bills for services and supplies incurred in preparation for the opening of the session and after adjournment, and for the necessary operation of the House of Delegates' offices, the requisitions for which are to be accompanied by bills to be filed with the Auditor.

The Speaker of the House of Delegates shall have authority to employ such staff personnel during and between sessions of the Legislature as shall be needed, in addition to personnel designated in the House resolution, and the compensation of all personnel shall be as fixed in such House resolution for the session or fixed by the Speaker during and between sessions of the Legislature, notwithstanding such House resolution. The Clerk of the House of Delegates is hereby authorized to draw requisitions upon the Auditor for such services, payable out of the appropriation for the Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the House of Delegates.

For duties imposed by law and by the House of Delegates, including salary allowed by law as keeper of the rolls, the Clerk of

the House of Delegates shall be paid a monthly salary as provided in the House resolution, unless increased between sessions under the authority of the Speaker and payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the House of Delegates.

Included in the above appropriation for House of Delegates (fund 0170, appropriation 02100), an amount not less than \$5,000 is to be used for the West Virginia Academy of Family Physicians - Doc of the Day Program.

3 - *Joint Expenses*

(W.V. Code Chapter 4)

Fund 0175 FY 2026 Org 2300

Joint Committee on Government

and Finance (R).....	10400	\$ 9,725,138
Legislative Printing (R).....	10500	260,000
Legislative Rule-Making		
Review Committee (R).....	10600	147,250
Legislative Computer System (R).....	10700	1,447,500
Legislative Dues and Fees (R)	10701	600,000
BRIM Premium (R)	91300	<u>60,569</u>
Total.....		\$ 12,240,457

The appropriations for the Joint Expenses for the fiscal year 2025 are to remain in full force and effect and are hereby reappropriated to June 30, 2026. Any balances reappropriated may be transferred and credited to the fiscal year 2025 accounts.

Upon the written request of the Clerk of the Senate, with the approval of the President of the Senate, and the Clerk of the House of Delegates, with the approval of the Speaker of the House of Delegates, and a copy to the Legislative Auditor, the Auditor shall transfer amounts between items of the total appropriation in order to protect or increase the efficiency of the service.

JUDICIAL**4 - Supreme Court –***General Judicial***Fund 0180 FY 2026 Org 2400****Personal Services and**

Employee Benefits (R)	00100	\$ 140,730,477
Repairs and Alterations (R)	06400	45,000
Equipment (R).....	07000	1,600,000
Military Services Members Court (R)	09002	0
Judges' Retirement System (R)	11000	1,247,000
Current Expenses (R)	13000	23,326,564
Buildings (R).....	25800	165,000
Other Assets (R).....	69000	80,000
BRIM Premium (R)	91300	<u>1,032,409</u>
Total.....		\$ 168,226,450

The appropriations to the Supreme Court of Appeals for the fiscal years 2022, 2023, 2024, and 2025 are to remain in full force and effect and are hereby reappropriated to June 30, 2026. Any balances so reappropriated may be transferred and credited to the fiscal year 2025 accounts.

This fund shall be administered by the Administrative Director of the Supreme Court of Appeals, who shall draw requisitions for warrants in payment in the form of payrolls, making deductions therefrom as required by law for taxes and other items.

From the appropriation for Current Expenses (fund 0180, appropriation 13000) \$1,000,000 shall be used for facility maintenance for magistrate courts.

The appropriation for the Judges' Retirement System (fund 0180, appropriation 11000) is to be transferred to the Consolidated Public Retirement Board, in accordance with the law relating thereto, upon requisition of the Administrative Director of the Supreme Court of Appeals.

EXECUTIVE**5 - Governor's Office**

(W.V. Code Chapter 5)

Fund 0101 FY 2026 Org 0100

Personal Services and

Employee Benefits.....	00100	\$ 3,357,899
Salary and Benefits of Elected Officials	00200	266,594
Repairs and Alterations.....	06400	25,000
Equipment.....	07000	1,000
National Governors Association	12300	60,700
Current Expenses (R).....	13000	799,000
Community Food Program	18500	1,000,000
Office of Resiliency (R).....	18600	626,650
BRIM Premium.....	91300	<u>183,645</u>
Total.....		\$ 6,320,488

Any unexpended balances remaining in the appropriations for Unclassified (fund 0101, appropriation 09900), Current Expenses (fund 0101, appropriation 13000), Office of Resiliency (fund 0101, appropriation 18600), Posey Perry Emergency Food Bank Fund (fund 0101, appropriation 42303), and Posey Perry Emergency Food Bank Fund – Surplus (fund 0101, appropriation 42399) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

6 - Governor's Office –*Custodial Fund*

(W.V. Code Chapter 5)

Fund 0102 FY 2026 Org 0100

Personal Services and

Employee Benefits.....	00100	\$ 431,755
Repairs and Alterations.....	06400	5,000
Equipment.....	07000	1,000

Current Expenses (R)	13000	<u>182,158</u>
Total.....		\$ 619,913

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0102, appropriation 13000) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

Appropriations are to be used for current general expenses, including compensation of employees, household maintenance, cost of official functions, and additional household expenses occasioned by such official functions.

7 - Governor's Office –

Civil Contingent Fund

(W.V. Code Chapter 5)

Fund 0105 FY 2026 Org 0100

Civil Contingent Fund (R)	61400	\$ 5,000,000
Local Economic		
Development Assistance (R)	81900	<u>5,000,000</u>
Total.....		\$ 10,000,000

Any unexpended balances remaining in the appropriations Civil Contingent Fund – Total (fund 0105, appropriation 11400), 2012 Natural Disasters – Surplus (fund 0105, appropriation 13500), Congressional Earmark Maintenance of Effort – Surplus (fund 0105, appropriation 22599), Civil Contingent Fund – Total – Surplus (fund 0105, appropriation 23800), Civil Contingent Fund – Surplus (fund 0105, appropriation 26300), Local Economic Development Assistance – Surplus (fund 0105, appropriation 26600), Civil Contingent Fund – Rural Hospitals – Surplus (fund 0105, appropriation 40199), Civil Contingent Fund (fund 0105, appropriation 61400), Milton Flood Wall (fund 0105, appropriation 75701), Milton Flood Wall – Surplus (fund 0105, appropriation 75799), Natural Disasters – Surplus (fund 0105, appropriation 76400), Local Economic Development Assistance (fund 0105, appropriation 81900), and Federal Funds/Grant Match – Surplus (fund 0105, appropriation 85700) at the close of the fiscal

year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

From this fund there may be expended, at the discretion of the Governor, an amount not to exceed \$1,000 as West Virginia's contribution to the Interstate Oil Compact Commission.

The above fund is intended to provide contingency funding for accidental, unanticipated, emergency, or unplanned events which may occur during the fiscal year and is not to be expended for the normal day-to-day operations of the Governor's Office.

8 - Auditor's Office –

General Administration

(W.V. Code Chapter 12)

Fund 0116 FY 2026 Org 1200

Personal Services and

Employee Benefits.....	00100	\$ 2,566,274
Salary and Benefits of Elected Officials	00200	192,704
Current Expenses (R)	13000	13,429
BRIM Premium.....	91300	12,077
Total.....		\$ 2,784,484

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0116, appropriation 13000) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

9 - Treasurer's Office

(W.V. Code Chapter 12)

Fund 0126 FY 2026 Org 1300

Personal Services and

Employee Benefits.....	00100	\$ 2,706,621
Salary and Benefits		
of Elected Officials	00200	192,704
Unclassified.....	09900	31,463

Abandoned Property Program.....	11800	41,794
Current Expenses (R)	13000	572,684
Other Assets	69000	10,000
ABLE Program	69201	150,000
BRIM Premium.....	91300	59,169
Total.....		\$ 3,764,435

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0126, appropriation 13000) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

10 - Department of Agriculture

(W.V. Code Chapter 19)

Fund 0131 FY 2026 Org 1400

Personal Services and		
Employee Benefits.....	00100	\$ 7,246,666
Salary and Benefits of		
Elected Officials	00200	192,704
Animal Identification Program	03900	141,212
State Farm Museum	05500	87,759
Gypsy Moth Program (R)	11900	1,175,979
WV Farmers Market	12801	150,467
Current Expenses (R).....	13000	588,115
Black Fly Control.....	13700	463,870
HEMP Program.....	13701	400,007
Donated Foods Program	36300	45,000
Veterans to Agriculture Program (R).....	36301	278,420
SNAP Stretch Program	xxxxx	360,000
Predator Control (R)	47000	176,400
Bee Research.....	69100	78,450
Microbiology Program.....	78500	110,995
Moorefield Agriculture Center.....	78600	1,121,739
Chesapeake Bay Watershed.....	83000	129,485
Livestock Care Standards Board.....	84300	8,820
Agriculture Programs.....	XXXXX	0
WVDA FFA Secretary.....	XXXXX	100,000

BRIM Premium.....	91300	138,905
State FFA-FHA Camp and Conference Center	94101	820,592
Threat Preparedness	94200	81,513
WV Food Banks.....	96900	426,000
Senior's Farmers' Market Nutrition Coupon Program	97000	<u>56,328</u>
Total.....		\$ 14,379,426

Any unexpended balances remaining in the appropriations for Gypsy Moth Program (fund 0131, appropriation 11900), Current Expenses (fund 0131, appropriation 13000), Veterans to Agriculture Program (fund 0131, appropriation 36301), 2024 Drought Relief – Surplus (fund 0131, appropriation 40499), Predator Control (fund 0131, appropriation 47000), and Agricultural Disaster and Mitigation Needs – Surplus (fund 0131, appropriation 85000) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

A portion of the Current Expenses appropriation may be transferred to a special revenue fund for the purpose of matching federal funds for marketing and development activities.

The above appropriation for Predator Control (fund 0131, appropriation 47000) is to be made available to the United States Department of Agriculture, Wildlife Services to administer the Predator Control Program.

From the above appropriation for Current Expenses (fund 0131, appropriation 13000) \$100,000 shall be used for the Willowbend Agricultural Innovation Center.

From the above appropriation for WV Food Banks (fund 0131, appropriation 96900), \$20,000 is for House of Hope and the remainder of the appropriation shall be allocated to the Huntington Food Bank and the Mountaineer Food Bank in Braxton County.

11 - West Virginia Conservation Agency

(W.V. Code Chapter 19)

Fund 0132 FY 2026 Org 1400

Personal Services and

Employee Benefits.....	00100	\$	927,240
Unclassified.....	09900		77,059
Soil Conservation Projects (R).....	12000		10,937,786
Current Expenses (R).....	13000		317,848
BRIM Premium.....	91300		<u>34,428</u>
Total.....		\$	12,294,361

Any unexpended balances remaining in the appropriations for Soil Conservation Projects (fund 0132, appropriation 12000), Current Expenses (fund 0132, appropriation 13000), and Soil Conservation Projects – Surplus (fund 0132, appropriation 26900) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

*12 - Department of Agriculture –**Meat Inspection Fund*

(W.V. Code Chapter 19)

Fund 0135 FY 2026 Org 1400

Personal Services and

Employee Benefits.....	00100	\$	1,097,727
Unclassified.....	09900		7,090
Current Expenses	13000		<u>82,605</u>
Total.....		\$	1,187,422

Any part or all of this appropriation may be transferred to a special revenue fund for the purpose of matching federal funds for the above-named program.

*13 - Department of Agriculture –**Agricultural Awards Fund*

(W.V. Code Chapter 19)

Fund 0136 FY 2026 Org 1400

Programs and Awards for 4-H Clubs and FFA/FHA	57700	\$	15,000

14 - Department of Agriculture –

West Virginia Agricultural Land Protection Authority

(W.V. Code Chapter 8A)

Fund 0607 FY 2026 Org 1400

Personal Services and			
Employee Benefits	00100	\$	109,515
Unclassified	09900		950
Total		\$	110,465

15 - Attorney General

(W.V. Code Chapters 5, 14, 46A and 47)

Fund 0150 FY 2026 Org 1500

Personal Services and			
Employee Benefits (R)	00100	\$	3,647,491
Salary and Benefits of Elected Officials	00200		192,704
Repairs and Alterations	06400		1,000
Equipment	07000		7,500
Unclassified (R)	09900		24,428
Current Expenses (R)	13000		681,295
Criminal Convictions and			
Habeas Corpus Appeals (R)	26000		1,018,132
Better Government Bureau	74000		293,418
BRIM Premium	91300		120,654
Total		\$	5,986,622

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0150, appropriation 00100), Unclassified (fund 0150, appropriation 09900), Current Expenses (fund 0150, appropriation 13000), and Criminal Convictions and Habeas Corpus Appeals (fund 0150,

appropriation 26000) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

When legal counsel or secretarial help is appointed by the Attorney General for any state spending unit, this account shall be reimbursed from such spending units specifically appropriated account or from accounts appropriated by general language contained within this bill: *Provided*, That the spending unit shall reimburse at a rate and upon terms agreed to by the state spending unit and the Attorney General: *Provided, however*, That if the spending unit and the Attorney General are unable to agree on the amount and terms of the reimbursement, the spending unit and the Attorney General shall submit their proposed reimbursement rates and terms to the Governor for final determination.

16 - Secretary of State

(W.V. Code Chapters 3, 5, and 59)

Fund 0155 FY 2026 Org 1600

Salary and Benefits of Elected Officials.....00200	\$	192,704
Unclassified (R) 09900		8,352
Current Expenses (R) 13000		781,584
BRIM Premium.....91300		<u>34,500</u>
Total.....	\$	1,017,140

Any unexpended balances remaining in the appropriations for Unclassified (fund 0155, appropriation 09900) and Current Expenses (fund 0155, appropriation 13000) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

17 - State Election Commission

(W.V. Code Chapter 3)

Fund 0160 FY 2026 Org 1601

Personal Services and		
Employee Benefits.....00100	\$	2,477

Unclassified.....	09900	75
Current Expenses	13000	<u>4,956</u>
Total.....	\$	7,508

DEPARTMENT OF ADMINISTRATION

18 - Department of Administration –

Office of the Secretary

(W.V. Code Chapter 5F)

Fund 0186 FY 2026 Org 0201

Personal Services and		
Employee Benefits.....	00100	\$ 498,187
Salary and Benefits of Cabinet Secretary		
and Agency Heads	00201	153,400
Repairs and Alterations.....	06400	100
Equipment.....	07000	1,000
Unclassified.....	09900	9,177
Current Expenses	13000	86,009
Financial Advisor (R)	30400	27,546
Lease Rental Payments	51600	15,431,900
Design-Build Board	54000	4,000
Other Assets.....	69000	100
BRIM Premium.....	91300	<u>5,736</u>
Total.....		\$ 16,217,155

Any unexpended balance remaining in the appropriation for Financial Advisor (fund 0186, appropriation 30400) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

The appropriation for Lease Rental Payments (fund 0186, appropriation 51600) shall be disbursed as provided by W.V. Code §31-15-6b.

19 - Consolidated Public Retirement Board

(W.V. Code Chapter 5)

Fund 0195 FY 2026 Org 0205

The Division of Highways, Division of Motor Vehicles, Public Service Commission, and other departments, bureaus, divisions, or commissions operating from special revenue funds and/or federal funds shall pay their proportionate share of the retirement costs for their respective divisions. When specific appropriations are not made, such payments may be made from the balances in the various special revenue funds in excess of specific appropriations.

20 - Division of Finance

(W.V. Code Chapter 5A)

Fund 0203 FY 2026 Org 0209

Personal Services and

Employee Benefits.....	00100	\$	68,694
Unclassified.....	09900		1,400
GAAP Project (R).....	12500		671,260
Current Expenses	13000		61,563
BRIM Premium.....	91300		<u>12,675</u>
Total.....		\$	815,592

Any unexpended balance remaining in the appropriation for GAAP Project (fund 0203, appropriation 12500) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

21 - Division of General Services

(W.V. Code Chapter 5A)

Fund 0230 FY 2026 Org 0211

Personal Services and

Employee Benefits.....	00100	\$	3,190,973
Repairs and Alterations.....	06400		500
Equipment.....	07000		5,000
Unclassified.....	09900		20,000
Fire Service Fee	12600		14,000

Current Expenses	13000	1,148,349
Capital Outlay, Repairs and Equipment (R)....	58900	21,610,888
BRIM Premium.....	91300	<u>379,983</u>
Total.....		\$ 26,369,693

Any unexpended balance remaining in the appropriation for Capital Outlay, Repairs and Equipment (fund 0230, appropriation 58900), Capital Outlay, Repairs and Equipment – Surplus (fund 0230, appropriation 67700), and Consolidated State Laboratory – Surplus (fund 0230, appropriation 37799) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

From the above appropriation for Preservation and Maintenance of Statues and Monuments on Capitol Grounds (fund 0230, appropriation 37100), the Division shall consult the Division of Culture and History and Capitol Building Commission in all aspects of planning, assessment, maintenance, and restoration.

The above appropriation for Capital Outlay, Repairs and Equipment (fund 0230, appropriation 58900) shall be expended for capital improvements, maintenance, repairs, and equipment for state-owned buildings.

22 - Division of Purchasing

(W.V. Code Chapter 5A)

Fund 0210 FY 2026 Org 0213

Personal Services and

Employee Benefits.....	00100	\$ 997,655
Repairs and Alterations.....	06400	200
Unclassified.....	09900	144
Current Expenses	13000	1,285
BRIM Premium.....	91300	<u>6,922</u>
Total.....		\$ 1,006,206

The Division of Highways shall reimburse Fund 2031 within the Division of Purchasing for all actual expenses incurred pursuant to the provisions of W.V. Code §17-2A-13.

23 - Travel Management

(W.V. Code Chapter 5A)

Fund 0615 FY 2026 Org 0215

Personal Services and		
Employee Benefits.....	00100	\$ 774,858
Repairs and Alterations.....	06400	1,000
Equipment.....	07000	5,000
Unclassified.....	09900	12,032
Current Expenses	13000	440,247
Buildings.....	25800	100
Other Assets.....	69000	<u>100</u>
Total.....		\$ 1,233,337

24 - Commission on Uniform State Laws

(W.V. Code Chapter 29)

Fund 0214 FY 2026 Org 0217

Current Expenses	13000	\$ 65,550

To pay expenses for members of the Commission on Uniform State Laws.

25 - West Virginia Public Employees Grievance Board

(W.V. Code Chapter 6C)

Fund 0220 FY 2026 Org 0219

Personal Services and		
Employee Benefits.....	00100	\$ 1,050,241
Equipment.....	07000	50
Unclassified.....	09900	1,000
Current Expenses	13000	136,035
BRIM Premium.....	91300	<u>8,000</u>
Total.....		\$ 1,195,326

26 - Ethics Commission

(W.V. Code Chapter 6B)

Fund 0223 FY 2026 Org 0220

Personal Services and		
Employee Benefits.....	00100	\$ 563,393
Repairs and Alterations.....	06400	500
Unclassified.....	09900	2,200
Current Expenses	13000	105,501
Other Assets.....	69000	100
BRIM Premium.....	91300	4,574
Total.....		\$ 676,268

27 - Public Defender Services

(W.V. Code Chapter 29)

Fund 0226 FY 2026 Org 0221

Personal Services and		
Employee Benefits.....	00100	\$ 1,987,292
Salary and Benefits of Cabinet Secretary		
and Agency Heads	00201	119,000
Unclassified.....	09900	313,300
Current Expenses	13000	12,740
Public Defender Corporations.....	35200	25,274,849
Appointed Counsel Fees (R).....	78800	17,691,113
BRIM Premium.....	91300	10,575
Total.....		\$ 45,408,869

Any unexpended balance remaining in the appropriation for Public Defender Corporations – Surplus (fund 0226, appropriation 35299), Appointed Counsel Fees - Surplus (fund 0226, appropriation 43500), and Appointed Counsel Fees (fund 0226, appropriation 78800) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

The Director shall have the authority to transfer funds from the appropriation to Public Defender Corporations (fund 0226,

appropriation 35200) to Appointed Counsel Fees (fund 0226, appropriation 78800).

28 - Division of Personnel

(W.V. Code Chapter 29)

Fund 0206 FY 2026 Org 0222

Directed Transfer	70000	\$	900,000

The above appropriation for Directed Transfer (fund 0206, appropriation 70000) shall be transferred to the Division of Personnel (fund 2440).

29 - Committee for the Purchase of

Commodities and Services from the Handicapped

(W.V. Code Chapter 5A)

Fund 0233 FY 2026 Org 0224

Personal Services and

Employee Benefits.....	00100	\$	3,187
Current Expenses	13000		<u>868</u>
Total.....		\$	4,055

30 - West Virginia Prosecuting Attorneys Institute

(W.V. Code Chapter 7)

Fund 0557 FY 2026 Org 0228

Forensic Medical Examinations (R)	68300	\$	572,276
Federal Funds/Grant Match (R).....	74900		<u>118,204</u>
Total.....		\$	690,480

Any unexpended balances remaining in the appropriations for Forensic Medical Examinations (fund 0557, appropriation 68300) and Federal Funds/Grant Match (fund 0557, appropriation 74900) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

31 - Office of Technology

(W.V. Code Chapter 5A)

Fund 0204 FY 2026 Org 0231

Directed Transfer 70000 \$ 7,200,000

The above appropriation for Directed Transfer (fund 0204, appropriation 70000) shall be transferred to the Office of Technology Fund (fund 2220).

32 - Real Estate Division

(W.V. Code Chapter 5A)

Fund 0610 FY 2026 Org 0233

Personal Services and

Employee Benefits.....	00100	\$ 724,702
Repairs and Alterations.....	06400	100
Equipment.....	07000	2,500
Unclassified.....	09900	124
Current Expenses	13000	138,881
BRIM Premium.....	91300	8,284
Total.....		\$ 874,591

DEPARTMENT OF COMMERCE**33 - Division of Forestry**

(W.V. Code Chapter 19)

Fund 0250 FY 2026 Org 0305

Personal Services and

Employee Benefits.....	00100	\$ 5,263,504
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	111,674
Repairs and Alterations.....	06400	80,000
Unclassified.....	09900	21,435
Current Expenses	13000	558,024

BRIM Premium.....	91300	<u>98,754</u>
Total.....		\$ 6,133,391

Out of the above appropriations a sum may be used to match federal funds for cooperative studies or other funds for similar purposes.

Any unexpended balances remaining in the appropriations for Current Expenses – Surplus (fund 0250, appropriation 13099) and Equipment – Surplus (fund 0250, appropriation 34100) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

34 - Geological and Economic Survey

(W.V. Code Chapter 29)

Fund 0253 FY 2026 Org 0306

Personal Services and

Employee Benefits.....	00100	\$ 1,898,787
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	112,753
Repairs and Alterations.....	06400	968
Unclassified.....	09900	27,678
Current Expenses	13000	51,524
Mineral Mapping System (R)	20700	1,232,093
BRIM Premium.....	91300	<u>24,486</u>
Total.....		\$ 3,348,289

Any unexpended balance remaining in the appropriation for Mineral Mapping System (fund 0253, appropriation 20700) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

The above Unclassified and Current Expenses appropriations include funding to secure federal and other contracts and may be transferred to a special revolving fund (fund 3105) for the purpose of providing advance funding for such contracts.

35 - Division of Economic Development

(W.V. Code Chapter 5B)

Fund 0256 FY 2026 Org 0307

Personal Services and

Employee Benefits.....	00100	\$ 3,856,055
Unclassified.....	09900	108,055
Current Expenses	13000	4,052,861
Local Economic		
Development Partnerships (R).....	13300	1,250,000
ARC Assessment	13600	152,585
Global Economic		
Development Partnerships (R).....	20201	150,000
Guaranteed Work Force Grant (R).....	24200	997,499
Mainstreet Program.....	79400	142,525
Marshall University Research Corporation...	80701	500,000
BRIM Premium.....	91300	3,157
Hatfield McCoy Recreational Trail.....	96000	<u>198,415</u>
Total.....		\$ 11,411,152

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0256, appropriation 09700), Partnership Grants (fund 0256, appropriation 13100), Local Economic Development Partnerships (fund 0256, appropriation 13300), Global Economic Development Partnerships (fund 0256, appropriation 20201), and Guaranteed Work Force Grant (fund 0256, appropriation 24200), and Current Expenses – Surplus (fund 0256, appropriation 13099) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

From the above appropriation for Current Expenses (fund 0256, appropriation 13000), \$50,000 shall be used for the Western Potomac Economic Partnership, \$100,000 shall be used for Advantage Valley, \$750,000 shall be used for the Robert C. Byrd Institute, \$548,915 is for West Virginia University and \$298,915 is for Southern West Virginia Community and Technical College for the Mine Training and Energy Technologies Academy.

The above appropriation to Local Economic Development Partnerships (fund 0256, appropriation 13300) shall be used by the Division of Economic Development for the award of funding assistance to county and regional economic development corporations or authorities participating in the Certified Development Community Program developed under the provisions of W.V. Code §5B-2-14. The Division of Economic Development shall award the funding assistance through a matching grant program, based upon a formula whereby funding assistance may not exceed \$50,000 per county served by an economic development or redevelopment corporation or authority.

36 - Office of Energy

(W.V. Code Chapter 5B)

Fund 0612 FY 2026 Org 0307

Personal Services and

Employee Benefits.....00100	\$	600,000
Current Expenses 13000		<u>685,603</u>
Total.....	\$	1,285,603

37 - Division of Labor

(W.V. Code Chapters 21 and 47)

Fund 0260 FY 2026 Org 0308

Personal Services and

Employee Benefits.....00100	\$	1,471,794
Repairs and Alterations.....06400		28,000
Unclassified.....09900		15,000
Current Expenses 13000		212,000
BRIM Premium.....91300		<u>8,500</u>
Total.....	\$	1,735,294

38 - Division of Natural Resources

(W.V. Code Chapter 20)

Fund 0265 FY 2026 Org 0310

Personal Services and

Employee Benefits.....	00100	\$ 21,367,002
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	113,188
Repairs and Alterations.....	06400	100
Equipment.....	07000	100
Unclassified.....	09900	184,711
Current Expenses	13000	449,654
Buildings (R).....	25800	100
Capital Outlay – Parks (R)	28800	3,434,945
Litter Control Conservation Officers	56400	157,746
Upper Mud River Flood Control (R)	65400	179,084
Other Assets.....	69000	100
Land (R).....	73000	100
Law Enforcement.....	80600	2,751,584
BRIM Premium.....	91300	45,141
Total.....		\$ 28,683,555

Any unexpended balances remaining in the appropriations for Equine Enrichment – Surplus (fund 0265, appropriation 22899), Buildings (fund 0265, appropriation 25800), Capital Outlay – Parks (fund 0265, appropriation 28800), Upper Mud River Flood Control (fund 0265, appropriation 65400), Current Expenses – Surplus (fund 0265, appropriation 13099), Capital Outlay, Repairs and Equipment – Surplus (fund 0265, appropriation 67700), Land (fund 0265, appropriation 73000), and State Park Improvements – Surplus (fund 0265, appropriation 76300) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

Any revenue derived from mineral extraction at any state park shall be deposited in a special revenue account of the Division of Natural Resources, first for bond debt payment purposes and with any remainder to be for park operation and improvement purposes.

39 - *Division of Miners' Health, Safety and Training*

(W.V. Code Chapter 22A)

Fund 0277 FY 2026 Org 0314

Personal Services and

Employee Benefits.....	00100	\$ 10,131,184
Unclassified.....	09900	111,016
Current Expenses	13000	1,396,141
Coal Dust and Rock Dust Sampling	27000	517,987
BRIM Premium.....	91300	<u>80,668</u>
Total.....		\$ 12,236,996

Included in the above appropriation for Current Expenses (fund 0277, appropriation 13000) is \$500,000 to be used for coal mine training activities at an established mine training facility in southern West Virginia.

40 - Board of Coal Mine Health and Safety

(W.V. Code Chapter 22A)

Fund 0280 FY 2026 Org 0319

Personal Services and

Employee Benefits.....	00100	\$ 235,177
Unclassified.....	09900	3,480
Current Expenses	13000	<u>118,138</u>
Total.....		\$ 356,795

Included in the above appropriation for Current Expenses (fund 0280, appropriation 13000) up to \$29,000 shall be used for the Coal Mine Safety and Technical Review Committee.

41 - WorkForce West Virginia

(W.V. Code Chapter 21A)

Fund 0572 FY 2026 Org 0323

Personal Services and

Employee Benefits.....	00100	\$ 51,433
Unclassified.....	09900	584
Current Expenses	13000	<u>23,683</u>
Total.....		\$ 75,700

*42 - Department of Commerce –**Office of the Secretary*

(W.V. Code Chapter 5B)

Fund 0606 FY 2026 Org 0327

Personal Services and

Employee Benefits.....	00100	\$ 1,501,592
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	153,750
Unclassified.....	09900	1,490
Current Expenses	13000	353,147
Directed Transfer	70000	<u>0</u>
Total.....		\$ 2,009,979

*43 - State Board of Rehabilitation –**Division of Rehabilitation Services*

(W.V. Code Chapter 18)

Fund 0310 FY 2026 Org 0932

Personal Services and

Employee Benefits.....	00100	\$ 12,970,625
Independent Living Services.....	00900	429,418
Current Expenses	13000	558,815
Workshop Development	16300	1,817,427
Supported Employment Extended Services..	20600	77,960
Ron Yost Personal Assistance Fund	40700	333,828
Employment Attendant Care Program.....	59800	131,575
BRIM Premium.....	91300	<u>77,464</u>
Total.....		\$ 16,397,112

The above appropriation for Workshop Development (fund 0310, appropriation 16300) shall be used exclusively with the private nonprofit community rehabilitation program organizations known as work centers or sheltered workshops. The appropriation shall also be used to continue the support of the program, services,

and individuals with disabilities currently in place at those organizations.

DEPARTMENT OF TOURISM

44 - Department of Tourism –

Office of the Secretary

(W.V. Code Chapter 5B)

Fund 0246 FY 2026 Org 0304

Tourism – Brand Promotion (R)	61803	\$ 15,000,000
Tourism – Public Relations (R)	61804	1,500,000
Tourism – Events and Sponsorships (R)	61805	500,000
Tourism – Industry Development (R)	61806	3,050,000
State Parks and Recreation Advertising (R) ...	61900	<u>1,500,000</u>
Total		\$ 21,550,000

Any unexpended balances remaining in the appropriations for Tourism – Development Opportunity Fund (fund 0246, appropriation 11601), Tourism – Brand Promotion (fund 0246, appropriation 61803), Tourism – Public Relations (fund 0246, appropriation 61804), Tourism – Events and Sponsorships (fund 0246, appropriation 61805), Tourism – Industry Development (fund 0246, appropriation 61806), State Parks and Recreation Advertising (fund 0246, appropriation 61900), Tourism – Brand Promotion – Surplus (fund 0246, appropriation 61893), and Tourism – Industry Development – Surplus (fund 0246, appropriation 61896) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

From the above appropriation of Tourism – Industry Development (fund 0246, appropriation 61806) \$250,000 shall be used for Appalachian Outlaw Trails, and \$300,000 shall be used for Mountwood Park.

The Secretary of the Department of Tourism shall have the authority to transfer between the above items of appropriation.

45 - Division of Culture and History

(W.V. Code Chapter 29)

Fund 0293 FY 2026 Org 0432

Personal Services and

Employee Benefits.....00100	\$ 4,345,222
Salary and Benefits of Cabinet Secretary and Agency Heads 00201	0
Repairs and Alterations.....06400	1,000
Equipment.....07000	1
Unclassified (R) 09900	28,483
Current Expenses 13000	3,175,898
WV Humanities Council.....16800	250,000
Buildings 25800	1
Other Assets.....69000	1
Educational Enhancements 69500	55,500
Land 73000	1
Culture and History Programming.....73200	173,573
Capital Outlay and Maintenance (R) 75500	19,600
Historical Highway Marker Program.....84400	43,548
BRIM Premium.....91300	39,337
Total.....	\$ 8,132,165

Any unexpended balances remaining in the appropriations for Unclassified (fund 0293, appropriation 09900), Capital Outlay, Repairs and Equipment (fund 0293, appropriation 58900), Capital Improvements – Surplus (fund 0293, appropriation 66100), Capital Outlay, Repairs and Equipment – Surplus (fund 0293, appropriation 67700), Capital Outlay and Maintenance (fund 0293, appropriation 75500), and Current Expenses – Surplus (fund 0293, appropriation 13099) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

From the above appropriation for Current Expenses (fund 0293, appropriation 13000) \$1,250,000 shall be used for roof repair for the Cultural Center, \$500,000 shall be used for completion of the Cultural Center outdoor exhibit, and \$750,000 shall be used to meet existing grant obligations.

From the above appropriation for Educational Enhancements (fund 0293, appropriation 69500), \$55,500 shall be used for the Clay Center.

The Current Expenses appropriation includes funding for the arts funds, department programming funds, grants, fairs and festivals, and Camp Washington Carver; and shall be expended only upon authorization of the Division of Culture and History and in accordance with the provisions of Chapter 5A, Article 3, and Chapter 12 of the W.V. Code.

46 - Library Commission

(W.V. Code Chapter 10)

Fund 0296 FY 2026 Org 0432

Personal Services and Employee Benefits....00100	\$	1,023,402
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	112,000
Repairs and Alterations.....	06400	6,500
Current Expenses	13000	1,639,624
Services to Blind & Handicapped.....	18100	161,717
BRIM Premium.....	91300	<u>18,205</u>
Total.....	\$	2,961,448

From the above appropriation for Current Expenses (fund 0296, appropriation 13000) \$1,500,000 shall be used for the Martinsburg Berkeley Public Library.

47 - Educational Broadcasting Commission

(W.V. Code Chapter 10)

Fund 0300 FY 2026 Org 0439

Personal Services and Employee Benefits....00100	\$	3,091,165
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	120,106
Current Expenses	13000	113,844
Mountain Stage	24900	450,000

Capital Outlay and Maintenance (R)	75500	49,250
BRIM Premium.....	91300	<u>47,727</u>
Total.....		\$ 3,872,092

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 0300, appropriation 75500) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

DEPARTMENT OF EDUCATION

48 - *State Board of Education –*

School Lunch Program

(W.V. Code Chapters 18 and 18A)

Fund 0303 FY 2026 Org 0402

Personal Services and Employee Benefits 00100	\$	383,204
Current Expenses	13000	<u>2,118,865</u>
Total.....	\$	2,502,069

49 - *State Board of Education –*

State Department of Education

(W.V. Code Chapters 18 and 18A)

Fund 0313 FY 2026 Org 0402

Personal Services and Employee Benefits 00100	\$	4,983,544
Teachers' Retirement Savings Realized	09500	39,831,000
Unclassified (R)	09900	420,000
Current Expenses (R)	13000	3,517,816
Increased Enrollment	14000	13,653,041
Safe Schools.....	14300	7,443,900
Attendance Incentive Bonus (R)	15001	2,262,389
National Teacher Certification (R)	16100	100,000
Jobs & Hope –		
Childhood Drug Prevention Education...	21901	2,000,000
Technology Repair and Modernization.....	29800	951,003

Hope Scholarship Program (R).....	30401	24,610,523
HVAC Technicians	35500	555,872
Early Retirement Notification Incentive	36600	300,000
MATH Program	36800	836,532
Assessment Programs (R)	39600	3,750,759
Governor's Honors Academy (R).....	47800	979,853
English as a Second Language.....	52800	96,000
Teacher Reimbursement	57300	297,188
Hospitality Training	60000	281,051
Youth in Government	61600	100,000
High Acuity Special Needs (R).....	63400	2,700,000
Computer Science Education	xxxxx	2,000,000
Foreign Student Education.....	63600	102,133
State Board of Education		
Administrative Costs	68400	200,000
Early Literacy Program.....	75600	5,724,015
School Based Truancy Prevention (R).....	78101	2,000,000
Communities in Schools (R).....	78103	4,912,637
Mastery Based Education	78104	125,000
Mountain State Digital Literacy Program.....	86401	1,300,000
21st Century Learners (R).....	88600	1,675,127
BRIM Premium.....	91300	342,859
Allowance for Extraordinary		
Sustained Growth.....	94300	71,980
Education Programs	XXXXX	0
21st Century Assessment and		
Professional Development	93100	2,015,254
21st Century Technology		
Infrastructure Network		
Tools and Support (R)	93300	9,256,714
Special Olympic Games.....	96600	25,000
Educational Program Allowance	99600	716,250
Total.....		<u>\$ 140,137,440</u>

The above appropriations include funding for the State Board of Education and its executive office.

From the above appropriation for Current Expenses (fund 0313, appropriation 13000), \$2,000,000 shall be used for the

Department of Education Child Nutrition Program – Non-traditional Child Hunger Solutions.

Any unexpended balances remaining in the appropriations for Unclassified (fund 0313, appropriation 09900), Current Expenses (fund 0313, appropriation 13000), Center for Professional Development (fund 0313, appropriation 11500), Attendance Incentive Bonus (fund 0313, appropriation 15001), National Teacher Certification (fund 0313, appropriation 16100), Hope Scholarship Program (fund 0313, appropriation 30401), Assessment Programs (fund 0313, appropriation 39600), Benedum Professional Development Collaborative (fund 0313, appropriation 42700), Governor's Honors Academy (fund 0313, appropriation 47800), High Acuity Special Needs (fund 0313, appropriation 63400), IT Academy (fund 0313, appropriation 72100), School Based Truancy Prevention (fund 0313, appropriation 78101), Communities in Schools (fund 0313, appropriation 78103), 21st Century Learners (fund 0313, appropriation 88600), 21st Century Technology Infrastructure Network Tools and Support (fund 0313, appropriation 93300), and Communities in Schools – Surplus (fund 0313, appropriation 78199) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The above appropriation for Teachers' Retirement Savings Realized (fund 0313, appropriation 09500) shall be transferred to the Employee Pension and Health Care Benefit Fund (fund 2044).

From the above appropriation for Unclassified (fund 0313, appropriation 09900), \$120,000 shall be for assisting low income students with AP and CLEP exam fees.

From the appropriation for Safe Schools (fund 0313, appropriation 14300), \$3,100,000 shall be used for school mapping.

From the above appropriation for MATH Program (fund 0313, appropriation 36800), \$50,000 shall be for Math Counts.

From the above appropriation for Educational Program Allowance (fund 0313, appropriation 99600), \$100,000 shall be

expended for the Morgan County Board of Education for Paw Paw Schools; \$250,000 shall be for the Randolph County Board of Education for Pickens School; \$100,000 shall be for the Randolph County Board of Education for the Harman School, \$100,000 shall be for the Preston County Board of Education for the Aurora School; \$100,000 shall be for the Fayette County Board of Education for Meadow Bridge; and \$66,250 is for Project Based Learning in STEM fields.

50 - State Board of Education –

Aid for Exceptional Children

(W.V. Code Chapters 18 and 18A)

Fund 0314 FY 2026 Org 0402

Special Education – Counties	15900	\$	7,425,757
Special Education – Institutions.....	16000		4,397,051
Education of Juveniles Held in Predispositional Juvenile Detention Centers	30200		766,204
Education of Institutionalized Juveniles and Adults (R).....	47200		<u>23,353,698</u>
Total.....		\$	<u>35,942,710</u>

Any unexpended balance remaining in the appropriation for Education of Institutionalized Juveniles and Adults (fund 0314, appropriation 47200) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

From the above appropriations, the Superintendent shall have authority to expend funds for the costs of special education for those children residing in out-of-state placements.

51 - State Board of Education –

State Aid to Schools

(W.V. Code Chapters 18 and 18A)

Fund 0317 FY 2026 Org 0402

Other Current Expenses	02200	\$ 197,669,392
Advanced Placement.....	05300	825,149
Professional Educators.....	15100	956,210,509
Service Personnel.....	15200	399,892,987
Fixed Charges	15300	117,003,609
Transportation	15400	100,315,326
Improved Instructional Programs	15600	63,626,561
Professional Student Support Services	65500	65,568,543
21st Century Strategic Technology		
Learning Growth.....	93600	49,747,886
Teacher and Leader Induction.....	93601	<u>28,783,005</u>
Basic Foundation Allowances.....		1,979,642,967
Less Local Share		(566,787,626)
Adjustments		<u>(3,422,328)</u>
Total Basic State Aid		1,409,433,013
Public Employees' Insurance Matching	01200	317,566,529
Teachers' Retirement System.....	01900	68,086,596
Retirement Systems – Unfunded Liability....	77500	<u>223,829,404</u>
Total.....		\$ 2,018,915,542

52 - State Board of Education –

Vocational Division

(W.V. Code Chapters 18 and 18A)

Fund 0390 FY 2026 Org 0402

Personal Services and Employee Benefits	00100	\$ 1,462,725
Unclassified.....	09900	268,800
Current Expenses	13000	883,106
Wood Products –		
Forestry Vocational Program.....	14600	88,600
Albert Yanni Vocational Program	14700	95,578
Vocational Aid.....	14800	24,826,517
Adult Basic Education	14900	5,905,442
Jobs & Hope (R)	14902	3,502,531
Program Modernization	30500	884,313
High School Equivalency		
Diploma Testing (R).....	72600	616,572

FFA Grant Awards.....	83900	11,496
Pre-Engineering Academy Program	84000	22,914
Vocational Programs.....	XXXXX	<u>0</u>
Total.....		\$ 38,568,594

Any unexpended balances remaining in the appropriations for Jim's Dream (fund 0390, appropriation 14901), Jobs and Hope (fund 0390, appropriation 14902), High School Equivalency Diploma Testing (fund 0390, appropriation 72600), and Jobs & Hope – Surplus (fund 0390, appropriation 14099) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

53 - State Board of Education –

West Virginia Schools for the Deaf and the Blind

(W.V. Code Chapters 18 and 18A)

Fund 0320 FY 2026 Org 0403

Personal Services and Employee Benefits	00100	\$ 11,225,286
Repairs and Alterations	06400	164,675
Equipment	07000	77,000
Unclassified (R)	09900	110,000
Current Expenses (R)	13000	2,150,696
Capital Outlay and Maintenance (R)	75500	670,000
BRIM Premium.....	91300	<u>130,842</u>
Total.....		\$ 14,528,499

Any unexpended balances remaining in the appropriations for Unclassified (fund 0320, appropriation 09900), Current Expenses (fund 0320, appropriation 13000), Buildings (fund 0320, appropriation 25800), and Capital Outlay and Maintenance (fund 0320, appropriation 75500) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

54 - State Board of Education –

School Building Authority

(W.V. Code Chapters 18 and 18A)

Fund 0318 FY 2026 Org 0404

School Building Authority 45300 \$ 24,000,000

The above appropriation for School Building Authority (fund 0318, appropriation 45300) shall be transferred to the School Construction Fund (fund 3952).

DEPARTMENT OF ENVIRONMENTAL PROTECTION**55 - *Environmental Quality Board***

(W.V. Code Chapter 20)

Fund 0270 FY 2026 Org 0311

Personal Services and Employee Benefits 00100	\$	101,968
Repairs and Alterations 06400		800
Equipment 07000		500
Current Expenses 13000		28,453
Other Assets 69000		400
BRIM Premium 91300		<u>791</u>
Total	\$	132,912

56 - *Division of Environmental Protection*

(W.V. Code Chapter 22)

Fund 0273 FY 2026 Org 0313

Personal Services and Employee Benefits 00100	\$	4,488,900
Salary and Benefits of Cabinet Secretary and Agency Heads 00201		168,000
Water Resources Protection and Management 06800		604,369
Current Expenses 13000		85,816
Environmental Response and Cleanups 27101		91,922
Dam Safety 60700		261,746
West Virginia Stream Partners Program 63700		77,396

West Virginia Drinking Water Treatment

Revolving Fund – Transfer.....	68900	647,500
W.V. Contributions to River Commissions....	77600	148,485
Office of Water Resources		
Non-Enforcement Activity	85500	<u>1,131,366</u>
Total.....		\$ 7,705,500

Any unexpended balance remaining in the appropriation for Current Expenses – Surplus (fund 0273, appropriation 13099) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

57 - Air Quality Board

(W.V. Code Chapter 16)

Fund 0550 FY 2026 Org 0325

Personal Services and Employee Benefits....	00100	\$ 61,581
Repairs and Alterations	06400	800
Equipment	07000	400
Current Expenses	13000	11,612
Other Assets	69000	200
BRIM Premium.....	91300	<u>2,304</u>
Total.....		\$ 76,897

DEPARTMENT OF HEALTH*58 - Department of Health –**Central Office*

(W.V. Code Chapter 16)

Fund 0407 FY 2026 Org 0506

Personal Services and Employee Benefits....	00100	\$ 429,073
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	358,460
Unclassified.....	09900	6,459
Current Expenses	13000	5,239,831
Pregnancy Centers	xxxxx	3,000,000

Capital Outlay and Maintenance (R)	75500	70,000
BRIM Premium.....	91300	<u>169,791</u>
Total.....		\$ 9,273,614

From the above appropriation for Current Expenses (fund 0407, appropriation 13000), \$5,000,000 shall be used for the Ronald McDonald House of Morgantown.

Any unexpended balances remaining in the appropriations for Capital Outlay and Maintenance (fund 0407, appropriation 75500), Emergency Response Entities – Special Projects (fund 0407, appropriation 82200), Tobacco Education Program (fund 0407, appropriation 90600), Tobacco Education Program – Surplus (fund 0407, appropriation xxxxx) and Pregnancy Centers – Surplus (fund 0407, appropriation 49999) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

59 - Department of Health –

Office of the Shared Administration

(W.V. Code Chapter 16)

Fund 0404 FY 2026 Org 0506

Personal Services and Employee Benefits 00100	\$ 4,337,763
Unclassified.....09900	62,815
Current Expenses 13000	<u>1,214,699</u>
Total.....	\$ 5,615,277

60 - Bureau for Public Health –

Office of the Commissioner

(W.V. Code Chapter 16)

Fund 0405 FY 2026 Org 0506

Personal Services and Employee Benefits 00100	\$ 2,892,926
Unclassified.....09900	594,893
Current Expenses 13000	66,099

Maternal and Child Health Clinics, Clinicians and Medical Contracts and Fees (R).....	57500	<u>300,000</u>
Total.....		\$ 3,853,918

Any unexpended balances remaining in the appropriations for Maternal and Child Health Clinics, Clinicians and Medical Contracts and Fees (fund 0405, appropriation 57500), at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

61 - Bureau for Public Health –

Health Statistics Center

(W.V. Code Chapter 16)

Fund 0406 FY 2026 Org 0506

Personal Services and Employee Benefits....	00100	\$ 539,560
Current Expenses	13000	<u>76,026</u>
Total.....		\$ 615,586

62 - Bureau for Public Health –

Office of Community Health and Health Promotion

(W.V. Code Chapter 16)

Fund 0438 FY 2026 Org 0506

Black Lung Clinics	46700	\$ 170,885
Primary Care Support	62800	2,032,635
Health Right Free Clinics.....	72700	5,250,000
Healthy Lifestyles	77800	612,419
Diabetes Education and Prevention	87300	<u>97,125</u>
Total.....		\$ 8,163,064

From the above appropriation for Primary Care Support (fund 0438, appropriation 62800), an amount not less than \$100,000 shall be used for the West Virginia Cancer Coalition.

From the above appropriation for Health Right Free Clinics (fund 0438, appropriation 72700), \$1,000,000 shall be used to support Health Right Free Clinics operating mobile medical primary care and mobile dental care clinics.

63 - Bureau for Public Health –

Office of Environmental Health Services

(W.V. Code Chapter 1

Fund 0417 FY 2026 Org 0506

Environmental Health Services (R) 30002 \$ 3,171,119

Any unexpended balances remaining in the appropriation for Environmental Health Services (fund 0417, appropriation 30002) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

64 - Bureau for Public Health –

Office of Epidemiology and Prevention Services

(W.V. Code Chapter 16)

Fund 0418 FY 2026 Org 0506

Cancer Registry.....	22500	\$	231,607
Vaccine for Children (R)	55100		341,261
Tuberculosis Control.....	55300		305,048
Epidemiology Support	62600		1,984,635
Total.....		\$	2,862,551

From the above appropriation for Epidemiology Support (fund 0418, appropriation 62600), \$50,000 shall be used for the West Virginia AIDS Coalition; and \$100,000 shall be used for Adolescent Immunization Education.

Any unexpended balances remaining in the appropriation for Vaccine for Children (fund 0418, appropriation 55100) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

65 - Bureau for Public Health –*Office of Laboratory Services*

(W.V. Code Chapter 16)

Fund 0419 FY 2026 Org 0506

Laboratory Services 30003 \$ 3,775,633

66 - Bureau for Public Health –*Office of Maternal, Child, and Family Health –**Children's Specialty Care*

(W.V. Code Chapter 16)

Fund 0421 FY 2026 Org 0506

Children's Specialty Care (R).....30004 \$ 1,667,975

Any unexpended balances remaining in the appropriation Children's Specialty Care (fund 0421, appropriation 30004) at the close of fiscal year 2025 are hereby reappropriated for expenditure during fiscal year 2026.

67 - Bureau for Public Health –*Office of Maternal, Child, and Family Health –**Infant, Child, Adolescent, and Young Adult Health*

(W.V. Code Chapter 16)

Fund 0422 FY 2026 Org 0506

Sexual Assault Intervention and Prevention....72300 \$ 2,000,000

Infant, Child Adolescent and

Young Adult Health and

Administration 30005 30,040

Total..... \$ 2,030,040

*68 - Bureau for Public Health –**Office of Maternal, Child, and Family Health –**Maternal, Child, and Family Health Epidemiology*

(W.V. Code Chapter 16)

Fund 0423 FY 2026 Org 0506

Maternal Mortality Review.....	83400	\$	53,031
Maternal, Child and Family Health Epidemiology (R).....	30006		<u>411,683</u>
Total.....		\$	464,714

Any unexpended balances remaining in the appropriation Maternal, Child and Family Health Epidemiology (fund 0423, appropriation 30006) at the close of fiscal year 2025 are hereby reappropriated for expenditure during fiscal year 2026.

*69 - Bureau for Public Health –**Office of Maternal, Child and Family Health –**Community Health*

(W.V. Code Chapter 16)

Fund 0424 FY 2026 Org 0506

Maternal and Child Health Community Health (R)	30007	\$	429,832

From the above appropriation for Maternal and Child Health Community Health and Fees (fund 0424, appropriation 30007) \$11,000 shall be used for the Marshall County Health Department for dental services.

Any unexpended balances remaining in the appropriation Maternal and Child Health Community Health (fund 0424, appropriation 30007) at the close of fiscal year 2025 are hereby reappropriated for expenditure during fiscal year 2026.

*70 - Bureau for Public Health –**Office of Maternal Child and Family Health –**Women's and Family Health*

(W.V. Code Chapter 16)

Fund 0425 FY 2026 Org 0506

Women's and Family Health (R).....30008 \$ 2,556,146

From the above appropriation for Women's and Family Health (fund 0425, appropriation 30008) up to \$400,000 may be transferred to the Breast and Cervical Cancer Diagnostic Treatment Fund (fund 5197).

Any unexpended balances remaining in the appropriation Women's and Family Health (fund 0425, appropriation 30008) at the close of fiscal year 2025 are hereby reappropriated for expenditure during fiscal year 2026.

*71 - Bureau for Public Health –**Office of Maternal Child and Family Health –**West Virginia Birth to Three*

(W.V. Code Chapter 16)

Fund 0426 FY 2026 Org 0506

West Virginia Birth to Three (R).....30009 \$ 17,156,198

Any unexpended balances remaining in the appropriation West Virginia Birth to Three (fund 0426, appropriation 30009) at the close of fiscal year 2025 are hereby reappropriated for expenditure during fiscal year 2026.

*72 - Bureau for Public Health –**Office of Medical Cannabis*

(W.V. Code Chapter 16)

Fund 0427 FY 2026 Org 0506

Office of Medical Cannabis (R).....42001 \$ 1,137,238

Any unexpended balances remaining in the appropriations for Office of Medical Cannabis (fund 0427, appropriation 42001) and Office of Medical Cannabis – Surplus (fund 0427, appropriation 42099) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

73 - Bureau for Public Health –

Office of Nutrition Services

(W.V. Code Chapter 16)

Fund 0428 FY 2026 Org 0506

Women, Infants, and Children 21000 \$ 38,621

74 - Deaf and Hard of Hearing

(W.V. Code Chapter 16)

Fund 0429 FY 2026 Org 0506

Commission for Deaf and Hard of Hearing ...70400 \$ 241,270

75 - Center for Local Health

(W.V. Code Chapter 16)

Fund 0431 FY 2026 Org 0506

State Aid for Local and

Basic Public Health Services 18400 \$ 19,038,864

76 - Office of Chief Medical Examiner

(W.V. Code Chapter 16)

Fund 0432 FY 2026 Org 0506

Chief Medical Examiner (R).....04500 \$ 14,071,667

Any unexpended balance remaining in the appropriation for Chief Medical Examiner (fund 0432, appropriation 04500) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

77 - Office of Emergency Medical Services

(W.V. Code Chapter 16)

Fund 0434 FY 2026 Org 0506

Statewide EMS Program Support (R).....	38300	\$ 1,681,427
State Trauma and Emergency Care System ...	91800	1,975,140
WVU Charleston Poison Control Hotline.....	94400	712,942
Telestroke.....	30010	<u>1,000,000</u>
Total.....		\$ 5,369,509

Any unexpended balances remaining in the appropriations for Statewide EMS Program Support (fund 0434, appropriation 38300) and Statewide EMS Program Support – Surplus (fund 0434, appropriation 38399) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

78 - Office of Threat Preparedness

(W.V. Code Chapter 16)

Fund 0435 FY 2026 Org 0506

Threat Preparedness and Administration	30011	\$ 5,595

79 - Human Rights Commission

(W.V. Code Chapter 5)

Fund 0416 FY 2026 Org 0510

Personal Services and		
Employee Benefits (R)	00100	\$ 1,118,596
Salary and Benefits of Cabinet Secretary		
and Agency Heads	00201	114,091
Unclassified (R)	09900	4,024

Current Expenses (R)	13000	331,304
BRIM Premium.....	91300	<u>10,764</u>
Total.....		\$ 1,578,779

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0416, appropriation 00100), Unclassified (fund 0416, appropriation 09900), and Current Expenses (fund 0416, appropriation 13000) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

80 - Office of the Inspector General

(W.V. Code Chapter 16B)

Fund 0437 FY 2026 Org 0513

Personal Services and		
Employee Benefits (R)	00100	\$ 6,811,769
Repairs and Alterations.....	06400	1
Equipment.....	07000	1
Unclassified (R)	09900	57,469
Current Expenses (R).....	13000	812,466
Other Assets.....	69000	1
BRIM Premium.....	91300	<u>121,134</u>
Total.....		\$ 7,802,841

From the above appropriation for Current Expenses (fund 0437, appropriation 13000), \$73,065 shall be used for informal dispute resolution relating to nursing home administrative appeals.

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0437, appropriation 00100), Unclassified (fund 0437, appropriation 09900), Current Expenses (fund 0437, appropriation 13000), and Current Expenses – Surplus (fund 0437, appropriation 13099) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

DEPARTMENT OF HUMAN SERVICES*81 - Division of Human Services*

(W.V. Code Chapters 9, 48, and 49)

Fund 0403 FY 2026 Org 0511

Personal Services and Employee Benefits 00100	\$ 32,219,482
Salary and Benefits of Cabinet Secretary and Agency Heads 00201	162,850
Unclassified.....09900	5,632,055
Current Expenses 13000	6,113,150
Child Care Development.....14400	3,167,767
Jobs & Hope (R) 14902	2,357,000
Social Services 19500	46,136
Behavioral Health Program (R) 21900	64,469,814
Family Resource Networks.....27400	1,762,464
Substance Abuse Continuum of Care (R) 35400	1,821,600
Office of Drug Control Policy (R) 35401	592,652
James "Tiger" Morton Catastrophic Illness Fund 45500	377,544
In-Home Family Education.....68800	1,100,000
WV Works Separate State Program.....69800	1,519,650
Child Support Enforcement 70500	7,236,632
Temporary Assistance for Needy Families/ Maintenance of Effort.....70700	25,819,096
Child Care – Maintenance of Effort Match ..70800	5,693,743
Capital Outlay and Maintenance (R) 75500	11,875
Medical Services Administrative Costs 78900	98,472
Indigent Burials (R) 85100	1,550,000
CHIP Administrative Costs.....85601	706,386
CHIP Services 85602	13,469,298
BRIM Premium.....91300	945,891
Children's Trust Fund – Transfer 95100	220,000
Total.....	\$ 177,093,557

From the above appropriation of Current Expenses (fund 0403, appropriation 13000), \$300,000 shall be used for Green Acres Regional Center, Inc.

Any unexpended balances remaining in the appropriations for Jobs & Hope (fund 0403, appropriation 14902), Behavioral Health Program (fund 0403, appropriation 21900), Behavioral Health Program – Surplus (fund 0403, appropriation 63100), Substance Abuse Continuum of Care (fund 0403, appropriation 35400), Office of Drug Control Policy (fund 0403, appropriation 35401), Capital Outlay and Maintenance (fund 0403, appropriation 75500), Indigent Burials (fund 0403, appropriation 85100), and Office of Drug Control Policy – Surplus (fund 0403, appropriation 35402) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

Notwithstanding the provisions of Title I, section three of this bill, the Secretary of the Department of Human Services shall have the authority to transfer funds within the above appropriations: *Provided*, That no more than five percent of the funds appropriated to one appropriation may be transferred to other appropriations: *Provided, however*, That no funds from other appropriations shall be transferred to the Personal Services and Employee Benefits appropriation.

The Secretary shall have authority to expend funds for the educational costs of those children residing in out-of-state placements, excluding the costs of special education programs.

The above appropriation for James "Tiger" Morton Catastrophic Illness Fund (fund 0403, appropriation 45500) shall be transferred to the James "Tiger" Morton Catastrophic Illness Fund (fund 5454) as provided by Article 5Q, Chapter 16 of the WV Code.

The above appropriation for WV Works Separate State Program (fund 0403, appropriation 69800) shall be transferred to the WV Works Separate State College Program Fund (fund 5467) and the WV Works Separate State Two-Parent Program Fund (fund 5468) as determined by the Secretary of the Department of Human Services.

From the above appropriation for Child Support Enforcement (fund 0403, appropriation 70500), an amount not to exceed

\$300,000 may be transferred to a local banking depository to be utilized to offset funds determined to be uncollectible.

Included in the appropriation for Behavioral Health Program (fund 0403, appropriation 21900), is \$100,000 for Recovery Point of Huntington.

The above appropriation for Children's Trust Fund – Transfer (fund 0403, appropriation 95100) shall be transferred to the Children's Trust Fund (fund 5469).

From the above appropriation for Substance Abuse Continuum of Care (fund 0403, appropriation 35400), the funding will be consistent with the goal areas outlined in the Comprehensive Substance Abuse Strategic Action Plan.

82 - Department of Human Services –

Office of the Shared Administration

(W.V. Code Chapter 16)

Fund 0481 FY 2026 Org 0511

Personal Services and Employee Benefits 00100	\$ 10,709,072
Unclassified.....09900	252,842
Current Expenses 13000	7,500,296
PATH 95400	<u>7,368,389</u>
Total.....	\$ 25,830,599

83 - Bureau for Medical Services –

Office of the Commissioner

(W.V. Code Chapter 16)

Fund 0482 FY 2026 Org 0511

Personal Services and Employee Benefits 00100	\$ 448,112
Current Expenses 13000	<u>446,183</u>
Total.....	\$ 894,295

*84 - Bureau for Medical Services –**Medical Services Administration*

(W.V. Code Chapter 16)

Fund 0483 FY 2026 Org 0511

Personal Services and Employee Benefits 00100	\$	9,658
Current Expenses	13000	1,175
Medical Services Administrative Costs	78900	47,116,150
Total	\$	47,126,983

*85 - Bureau for Medical Services –**Policy and Programming*

(W.V. Code Chapter 16)

Fund 0484 FY 2026 Org 0511

Medical Services	18900	\$ 79,174,335
WV Teaching Hospitals		
Tertiary/Safety Net	54700	6,356,000
Rural Hospitals Under 150 Beds.....	94000	2,596,000
Case Management	30012	123,264
Chiropractic Services	30013	5,784
Clinic Services	30014	160,523
Dental Services	30015	184,878
Diagnostic, Screening, Preventive and		
Rehabilitative Services	30016	3,529
Health Homes for Enrollees with		
Chronic Conditions.....	30017	141,477
Hospice	30018	1,554,214
Institution for Mental Disease Services	30019	1,418,872
Intermediate Care Facility Services	30020	3,592,852
Managed Care Organizations.....	30021	126,104,299
Prescription Drugs	30022	21,934,109
Physical and Occupational Therapy.....	30023	76,436
Podiatry Services, Optometry Services and		
Prosthetics.....	30024	34,531

Private Duty Nurses, Personal Care and Other Practitioner Services	30025	13,163,660
Respiratory Care Services.....	30026	11,203
Speech, Hearing, and Language Disorders ...	30027	<u>14,237</u>
Total.....		\$ 256,650,203

The Secretary of the Department of Human Services shall have the authority to transfer between the above items of appropriation.

86 - Bureau for Medical Services –

Home and Community Based Waiver Programs

(W.V. Code Chapter 16)

Fund 0485 FY 2026 Org 0511

I/DD Waiver.....	46600	\$ 108,541,736
Title XIX for Seniors Citizens	53300	47,060,282
Traumatic Brain Injury Waiver.....	83500	1,000,000
Substance Use Disorder Waiver	30028	<u>926,366</u>
Total.....		\$ 157,528,384

87 - Bureau for Social Services –

Office of the Commissioner

(W.V. Code Chapter 16)

Fund 0486 FY 2026 Org 0511

Personal Services and Employee Benefits	00100	\$ 9,541,782
Current Expenses	13000	2,272,246
Social Services	19500	7,793,934
Domestic Violence Legal Services Fund	38400	400,000
Child Protective Services Case Workers	46800	6,525,340
Grants for Licensed Domestic Violence Programs and Statewide Prevention	75000	<u>2,500,000</u>
Total.....		\$ 29,033,302

Included in the above appropriation for Social Services (fund 0486, appropriation 19500) is funding for continuing education requirements relating to the practice of social work.

The above appropriation for Domestic Violence Legal Services Fund (fund 0486, appropriation 38400) shall be transferred to the Domestic Violence Legal Services Fund (fund 5455).

From the above appropriation for the Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund 0486, appropriation 75000), 50 percent of the total shall be divided equally and distributed among the 14 licensed programs and the West Virginia Coalition Against Domestic Violence (WVCADV). The balance remaining in the appropriation for Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund 0486, appropriation 75000), shall be distributed according to the formula established by the Family Protection Services Board.

88 - Bureau for Social Services –

Children's Services

(W.V. Code Chapter 16)

Fund 0487 FY 2026 Org 0511

Social Services	19500	\$ 41,525,266
Family Preservation Program	19600	1,565,000
Current Expenses	13000	<u>2,000</u>
Total.....		\$ 43,092,266

89 - Bureau for Social Services –

Adoption

(W.V. Code Chapter 16)

Fund 0488 FY 2026 Org 0511

Social Services	19500	\$ 74,283,410

*90 - Bureau for Social Services –**Foster Care*

(W.V. Code Chapter 16)

Fund 0489 FY 2026 Org 0511

Social Services 19500 \$ 174,966,649

*91 - Bureau for Social Services –**Adult Services*

(W.V. Code Chapter 16)

Fund 0492 FY 2026 Org 0511

Social Services 19500 \$ 6,056,125

*92 - Bureau for Social Services –**Child Protective Services Case Workers*

(W.V. Code Chapter 16)

Fund 0493 FY 2026 Org 0511

Social Services 19500 \$ 5,157,339

Child Protective Services Case Workers 46800 24,964,445

Total..... \$ 30,121,784

*93 - Bureau for Social Services –**Social Service Case Workers*

(W.V. Code Chapter 16)

Fund 0494 FY 2026 Org 0511

Personal Services and Employee Benefits 00100 2,637,980

Current Expenses 13000 469,533

Social Services 19500 7,529,649

Child Protective Services Case Workers 46800 2,037,632

Total..... \$ 12,674,794

*94 - Bureau for Social Services –**Adult Protective Services Case Workers*

(W.V. Code Chapter 16)

Fund 0495 FY 2026 Org 0511

Personal Services and Employee Benefits 00100	\$ 4,916,510
Current Expenses 13000	<u>217,408</u>
Total.....	\$ 5,133,918

*95 - Bureau for Social Services –**Youth Service Case Workers*

(W.V. Code Chapter 16)

Fund 0496 FY 2026 Org 0511

Personal Services and Employee Benefits 00100	1,153,162
Current Expenses 13000	170,344
Social Services 19500	<u>4,522,073</u>
Total.....	\$ 5,845,579

DEPARTMENT OF HEALTH FACILITIES*96 - Health Facilities –**Central Office*

(W.V. Code Chapter 16)

Fund 0401 FY 2026 Org 0512

Personal Services and Employee Benefits 00100	\$ 1,719,019
Salary and Benefits of Cabinet Secretary and Agency Heads 00201	245,000
Shared Administration 30029	1
Current Expenses 13000	1,257,327
BRIM Premium.....91300	<u>21,828</u>
Total.....	\$ 3,243,175

*97 - Health Facilities –**Health Facilities Capital Projects Fund*

(W.V. Code Chapter 16)

Fund 0402 FY 2026 Org 0512

Capital Outlay and Maintenance	75500	\$	550,000

The Secretary shall have the ability to transfer between appropriations for Capital Outlay and Maintenance within the funds 0402, 0408, 0409, 0410, 0411, 0412, 0413, 0414, and 0415 as needed.

*98 - Health Facilities –**Hopemont Hospital*

(W.V. Code Chapter 16)

Fund 0408 FY 2026 Org 0512

Personal Services and

Employee Benefits (R)	00100	\$	6,524,211
Repairs and Alterations (R)	06400		90,001
Equipment (R).....	07000		1
Current Expenses (R)	13000		2,173,082
Buildings (R).....	25800		1
Other Assets (R).....	69000		1
Contract Nursing (R).....	72301		3,893,811
Capital Outlay and Maintenance (R)	75500		50,000
BRIM Premium (R)	91300		40,000
Total.....		\$	12,771,108

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0408, appropriation 00100), Repairs and Alterations (fund 0408, appropriation 06400), Equipment (0408, appropriation 07000), Current Expenses (fund 0408, appropriation 13000), Buildings (fund 0408, appropriation 25800), Other Assets (fund 0408, appropriation 69000), Contract Nursing (fund 0408, appropriation

72301), Capital Outlay and Maintenance (fund 0408, appropriation 75500), and BRIM Premium (fund 0408, appropriation 91300) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

99 - Health Facilities –

Lakin Hospital

(W.V. Code Chapter 16)

Fund 0409 FY 2026 Org 0512

Personal Services and

Employee Benefits (R)	00100	\$ 8,366,804
Repairs and Alterations (R)	06400	60,001
Equipment (R).....	07000	1
Current Expenses (R)	13000	2,363,676
Buildings (R).....	25800	1
Other Assets (R).....	69000	1
Contract Nursing (R).....	72301	3,539,262
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R)	91300	174,055
Total.....		\$ 14,553,801

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0409, appropriation 00100), Repairs and Alterations (fund 0409, appropriation 06400), Equipment (0409, appropriation 07000), Current Expenses (fund 0409, appropriation 13000), Buildings (fund 0409, appropriation 25800), Other Assets (fund 0409, appropriation 69000), Contract Nursing (fund 0409, appropriation 72301), Capital Outlay and Maintenance (fund 0409, appropriation 75500), and BRIM Premium (fund 0409, appropriation 91300) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

100 - Health Facilities –

John Manchin Senior Health Care Center

(W.V. Code Chapter 16)

Fund 0410 FY 2026 Org 0512

Personal Services and

Employee Benefits (R)	00100	\$ 4,168,092
Repairs and Alterations (R)	06400	50,001
Equipment (R).....	07000	1
Current Expenses (R)	13000	1,471,878
Buildings (R).....	25800	1
Other Assets (R).....	69000	1
Contract Nursing (R).....	72301	2,907,556
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R)	91300	<u>72,136</u>
Total.....		\$ 8,719,666

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0410, appropriation 00100), Repairs and Alterations (fund 0410, appropriation 06400), Equipment (0410, appropriation 07000), Current Expenses (fund 0410, appropriation 13000), Buildings (fund 0410, appropriation 25800), Other Assets (fund 0410, appropriation 69000), Contract Nursing (fund 0410, appropriation 72301), Capital Outlay and Maintenance (fund 0410, appropriation 75500), and BRIM Premium (fund 0410, appropriation 91300) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

*101 - Health Facilities –**Jackie Withrow Hospital*

(W.V. Code Chapter 16)

Fund 0411 FY 2026 Org 0512

Personal Services and

Employee Benefits (R)	00100	\$ 7,201,092
Repairs and Alterations (R)	06400	200,001
Equipment (R).....	07000	1
Current Expenses (R)	13000	2,655,893
Buildings (R).....	25800	1
Other Assets (R).....	69000	1
Contract Nursing (R).....	72301	2,000,311
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R)	91300	<u>167,074</u>
Total.....		\$ 12,274,374

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0411, appropriation 00100), Repairs and Alterations (fund 0411, appropriation 06400), Equipment (0411, appropriation 07000), Current Expenses (fund 0411, appropriation 13000), Buildings (fund 0411, appropriation 25800), Other Assets (fund 0411, appropriation 69000), Contract Nursing (fund 0411, appropriation 72301), Capital Outlay and Maintenance (fund 0411, appropriation 75500), and BRIM Premium (fund 0411, appropriation 91300) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

*102 - Health Facilities –**Welch Community Hospital*

(W.V. Code Chapter 16)

Fund 0412 FY 2026 Org 0512

Personal Services and

Employee Benefits (R)	00100	\$ 13,295,716
Repairs and Alterations (R)	06400	1
Equipment (R).....	07000	1
Current Expenses (R)	13000	15,525,686
Buildings (R).....	25800	1
Other Assets (R).....	69000	1
Contract Nursing (R).....	72301	250,000
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R)	91300	<u>149,300</u>
Total.....		\$ 29,270,706

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0412, appropriation 00100), Repairs and Alterations (fund 0412, appropriation 06400), Equipment (0412, appropriation 07000), Current Expenses (fund 0412, appropriation 13000), Buildings (fund 0412, appropriation 25800), Other Assets (fund 0412, appropriation 69000), Contract Nursing (fund 0412, appropriation 72301), Capital Outlay and Maintenance (fund 0412, appropriation 75500), and BRIM Premium (fund 0412, appropriation 91300) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

*103 - Health Facilities –**William R. Sharpe Jr. Hospital*

(W.V. Code Chapter 16)

Fund 0413 FY 2026 Org 0512

Personal Services and

Employee Benefits (R)	00100	\$ 28,384,787
Repairs and Alterations (R)	06400	350,001

Equipment (R).....	07000	1
Current Expenses (R)	13000	10,280,300
Buildings (R).....	25800	1
Other Assets (R).....	69000	1
Contract Nursing (R).....	72301	41,969,835
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R)	91300	<u>315,334</u>
Total.....		\$ 81,350,260

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0413, appropriation 00100), Repairs and Alterations (fund 0413, appropriation 06400), Equipment (0413, appropriation 07000), Current Expenses (fund 0413, appropriation 13000), Buildings (fund 0413, appropriation 25800), Other Assets (fund 0413, appropriation 69000), Contract Nursing (fund 0413, appropriation 72301), Capital Outlay and Maintenance (fund 0413, appropriation 75500), and BRIM Premium (fund 0413, appropriation 91300) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

104 - Health Facilities –

Mildred Mitchell-Bateman Hospital

(W.V. Code Chapter 16)

Fund 0414 FY 2026 Org 0512

Personal Services and		
Employee Benefits (R)	00100	\$ 25,979,665
Repairs and Alterations (R)	06400	300,001
Equipment (R).....	07000	1
Current Expenses (R).....	13000	2,967,683
Buildings (R).....	25800	1
Other Assets (R).....	69000	1
Contract Nursing (R).....	72301	24,957,520

Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R)	91300	<u>283,122</u>
Total.....		\$ 54,537,994

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0414, appropriation 00100), Repairs and Alterations (fund 0414, appropriation 06400), Equipment (0414, appropriation 07000), Current Expenses (fund 0414, appropriation 13000), Buildings (fund 0414, appropriation 25800), Other Assets (fund 0414, appropriation 69000), Contract Nursing (fund 0414, appropriation 72301), Capital Outlay and Maintenance (fund 0414, appropriation 75500), and BRIM Premium (fund 0414, appropriation 91300) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

105 - Health Facilities –

William R. Sharpe Jr. Hospital –

Transitional Living Facility

(W.V. Code Chapter 16)

Fund 0415 FY 2026 Org 0512

Personal Services and		
Employee Benefits (R)	00100	\$ 1,610,133
Repairs and Alterations (R)	06400	2,001
Equipment (R).....	07000	1
Current Expenses (R)	13000	171,794
Buildings (R).....	25800	1
Other Assets (R).....	69000	1
Contract Nursing (R).....	72301	10,000
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R)	91300	<u>20,000</u>
Total.....		\$ 1,863,931

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0415, appropriation 00100), Repairs and Alterations (fund 0415, appropriation 06400), Equipment (0415, appropriation 07000), Current Expenses (fund 0415, appropriation 13000), Buildings (fund 0415, appropriation 25800), Other Assets (fund 0415, appropriation 69000), Contract Nursing (fund 0415, appropriation 72301), Capital Outlay and Maintenance (fund 0415, appropriation 75500), and BRIM Premium (fund 0415, appropriation 91300) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

DEPARTMENT OF HOMELAND SECURITY

106 - Department of Homeland Security –

Office of the Secretary

(W.V. Code Chapter 5F)

Fund 0430 FY 2026 Org 0601

Personal Services and Employee Benefits.....00100	\$ 701,752
Salary and Benefits of Cabinet Secretary	
and Agency Heads 00201	168,000
Repairs and Alterations.....06400	500
Equipment.....07000	500
Unclassified (R) 09900	30,000
Current Expenses 13000	91,636
Fusion Center (R).....46900	3,084,238
Other Assets.....69000	500
Directed Transfer 70000	32,000
BRIM Premium.....91300	22,563
WV Fire and EMS Survivor Benefit (R) 93900	<u>200,000</u>
Total.....	\$ 4,331,689

Any unexpended balances remaining in the appropriations for Unclassified (fund 0430, appropriation 09900), Current Expenses – Surplus (fund 0430, appropriation 13099), Fusion Center (fund 0430, appropriation 46900), Justice Reinvestment Training – Surplus (fund 0430, appropriation 69900), WV Fire and EMS Survivor Benefit (fund 0430, appropriation 93900), and Homeland State Security Administrative Agency (fund 0430, appropriation 95300) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The above appropriation for Directed Transfer (fund 0430, appropriation 70000) shall be transferred to the Law-Enforcement, Safety and Emergency Worker Funeral Expense Payment Fund (fund 6003).

107 - Division of Emergency Management

(W.V. Code Chapter 15)

Fund 0443 FY 2026 Org 0606

Personal Services and Employee Benefits.....00100	\$ 2,329,771
Salary and Benefits of Cabinet Secretary and Agency Heads 00201	61,250
Repairs and Alterations 06400	600
Unclassified.....09900	21,022
Current Expenses 13000	51,065
Radiological Emergency Preparedness 55400	17,608
SIRN 55401	600,000
Federal Funds/Grant Match (R) 74900	1,866,447
Mine and Industrial Accident Rapid Response Call Center.....78100	538,524
Early Warning Flood System (R) 87700	1,487,801
BRIM Premium.....91300	96,529
Total.....	\$ 7,070,617

Any unexpended balances remaining in the appropriations for Federal Funds/Grant Match (fund 0443, appropriation 74900) and Early Warning Flood System (fund 0443, appropriation 87700) at

the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

108 - Division of Corrections and Rehabilitation –

West Virginia Parole Board

(W.V. Code Chapter 62)

Fund 0440 FY 2026 Org 0608

Personal Services and Employee Benefits 00100	\$	318,332
Unclassified.....09900		10,000
Current Expenses 13000		234,440
Salaries of Members of		
West Virginia Parole Board.....22700		793,430
BRIM Premium.....91300		<u>6,149</u>
Total.....	\$	1,362,351

The above appropriation for Salaries of Members of West Virginia Parole Board (fund 0440, appropriation 22700) includes funding for salary, annual increment (as provided for in W.V. Code §5-5-1), and related employee benefits of board members.

109 - Division of Corrections and Rehabilitation –

Central Office

(W.V. Code Chapter 15A)

Fund 0446 FY 2026 Org 0608

Personal Services and Employee Benefits 00100	\$	259,096
Salary and Benefits of Cabinet Secretary		
and Agency Heads 00201		126,518
Current Expenses 13000		<u>2,400</u>
Total.....	\$	388,014

110 - Division of Corrections and Rehabilitation –

Correctional Units

(W.V. Code Chapter 15A)

Fund 0450 FY 2026 Org 0608

Employee Benefits	01000	\$ 1,258,136
Children's Protection Act (R).....	09000	838,437
Unclassified.....	09900	1,578,800
Current Expenses (R)	13000	57,690,483
Facilities Planning and Administration (R) ..	38600	1,274,200
Charleston Correctional Center	45600	4,292,171
Beckley Correctional Center.....	49000	3,373,622
Anthony Correctional Center.....	50400	6,944,138
Huttonsville Correctional Center	51400	23,315,435
Northern Correctional Center.....	53400	10,321,311
Inmate Medical Expenses (R).....	53500	66,370,483
Pruntytown Correctional Center	54300	11,167,934
Corrections Academy.....	56900	2,342,458
Information Technology Services.....	59901	2,759,052
Martinsburg Correctional Center	66300	5,838,595
Parole Services.....	68600	7,712,380
Special Services	68700	7,470,058
Directed Transfer	70000	20,759,291
Investigative Services	71600	3,925,268
Capital Outlay and Maintenance (R)	75500	2,000,000
Salem Correctional Center	77400	13,930,445
McDowell County Correctional Center	79000	2,542,590
Stevens Correctional Center	79100	14,348,351
Parkersburg Correctional Center.....	82800	8,570,354
St. Mary's Correctional Center.....	88100	18,735,467
Denmar Correctional Center.....	88200	6,619,382
Ohio County Correctional Center	88300	2,868,233
Mt. Olive Correctional Complex	88800	29,202,306
Lakin Correctional Center.....	89600	14,045,574
BRIM Premium.....	91300	<u>2,527,657</u>
Total.....		\$ 354,622,611

Any unexpended balances remaining in the appropriations for Children's Protection Act (fund 0450, appropriation 09000), Unclassified – Surplus (fund 0450, appropriation 09700), Current Expenses (fund 0450, appropriation 13000), Facilities Planning

and Administration (fund 0450, appropriation 38600), Inmate Medical Expenses (fund 0450, appropriation 53500), Capital Improvements – Surplus (fund 0450, appropriation 66100), Capital Outlay and Maintenance (fund 0450, appropriation 75500), Security System Improvements – Surplus (fund 0450, appropriation 75501), Roof Repairs and Mechanical System Upgrades (fund 0450, appropriation 75502), and Stevens Correctional Center – Surplus (fund 0450, appropriation 79500) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The Commissioner of Corrections and Rehabilitation shall have the authority to transfer between appropriations.

From the above appropriation to Current Expenses (fund 0450, appropriation 13000), payment shall be made to house Division of Corrections and Rehabilitation inmates in federal, county, and/or regional jails.

The above appropriation for Directed Transfer (fund 0450, appropriation 70000) shall be transferred to the Regional Jails Operating Cash Control Account (fund 6678).

Any realized savings from Energy Savings Contract may be transferred to Facilities Planning and Administration (fund 0450, appropriation 38600).

111 - Division of Corrections and Rehabilitation –

Bureau of Juvenile Services

(W.V. Code Chapter 15A)

Fund 0570 FY 2026 Org 0608

Statewide Reporting Centers.....	26200	\$	7,954,237
Robert L. Shell Juvenile Center	26700		3,353,727
Resident Medical Expenses (R)	53501		6,000,078
Central Office.....	70100		2,157,860
Capital Outlay and Maintenance (R)	75500		250,000
Gene Spadaro Juvenile Center	79300		3,582,637

BRIM Premium.....	91300	115,967
Kenneth Honey Rubenstein Juvenile Center (R)	98000	7,045,294
Vicki Douglas Juvenile Center	98100	3,451,194
Northern Regional Juvenile Center.....	98200	2,876,302
Lorrie Yeager Jr. Juvenile Center	98300	3,300,206
Sam Perdue Juvenile Center	98400	3,487,390
Tiger Morton Center	98500	3,572,552
Donald R. Kuhn Juvenile Center	98600	6,826,359
J.M. "Chick" Buckbee Juvenile Center.....	98700	3,497,404
Total.....		\$ 57,471,207

Any unexpended balances remaining in the appropriations for Resident Medical Expenses (fund 0570, appropriation 53501), Capital Outlay and Maintenance (fund 0570, appropriation 75500), Roof Repairs and Mechanical System Upgrades (fund 0570, appropriation 75502), and Kenneth Honey Rubenstein Juvenile Center (fund 0570, appropriation 98000) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The Director of Juvenile Services shall have the authority to transfer between appropriations to the individual juvenile centers above including Statewide Reporting Centers and Central Office and may transfer funds from the individual juvenile centers to Resident Medical Expenses (fund 0570, appropriation 53501).

112 - West Virginia State Police

(W.V. Code Chapter 15)

Fund 0453 FY 2026 Org 0612

Personal Services and Employee Benefits	00100	\$ 77,180,392
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	139,300
Repairs and Alterations	06400	450,523
Children's Protection Act	09000	1,127,989
Current Expenses	13000	10,384,394
Trooper Class	52100	3,227,388

Barracks Lease Payments	55600	237,898
Communications and Other Equipment (R)....	55800	1,070,968
Trooper Retirement Fund.....	60500	14,319,315
Handgun Administration Expense	74700	89,432
Capital Outlay and Maintenance (R)	75500	250,000
Retirement Systems – Unfunded Liability....	77500	1
Automated Fingerprint Identification System...	89800	2,269,280
BRIM Premium.....	91300	<u>5,743,921</u>
Total.....		\$ 116,490,801

Any unexpended balances remaining in the appropriations for Communications and Other Equipment (fund 0453, appropriation 55800), Capital Outlay, Repairs and Equipment – Surplus (fund 0453, appropriation 67700), and Capital Outlay and Maintenance (fund 0453, appropriation 75500) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

From the above appropriation for Personal Services and Employee Benefits (fund 0453, appropriation 00100), an amount not less than \$25,000 shall be expended to offset the costs associated with providing police services for the West Virginia State Fair.

113 - Fire Commission

(W.V. Code Chapter 15A)

Fund 0436 FY 2026 Org 0619

Current Expenses	13000	\$	63,061

114 - Division of Protective Services

(W.V. Code Chapter 5F)

Fund 0585 FY 2026 Org 0622

Personal Services and Employee Benefits....	00100	\$	3,516,776
Repairs and Alterations.....	06400		8,500
Equipment (R).....	07000		64,171

Unclassified (R)	09900	21,991
Current Expenses	13000	372,981
BRIM Premium.....	91300	<u>32,602</u>
Total.....		\$ 4,017,021

Any unexpended balances remaining in the appropriations for Equipment (fund 0585, appropriation 07000) and Unclassified (fund 0585, appropriation 09900) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

115 - Division of Administrative Services –

Criminal Justice Fund

(W.V. Code Chapter 15A)

Fund 0546 FY 2026 Org 0623

Personal Services and Employee Benefits	00100	\$ 723,413
Repairs and Alterations.....	06400	1,804
Current Expenses	13000	133,360
Victims of Crime Act (R)	21601	12,966,931
Court Appointed Special Advocates	xxxxx	1,100,000
Child Advocacy Centers (R).....	45800	2,216,336
Community Corrections (R)	56100	4,616,145
Statistical Analysis Program	59700	51,495
Sexual Assault Forensic Examination Commission (R)	71400	285,570
Qualitative Analysis and Training for Youth Services (R)	76200	91,479
Law Enforcement Professional Standards	83800	183,676
Justice Reinvestment Initiative (R)	89501	2,346,044
BRIM Premium.....	91300	<u>2,123</u>
Total.....		\$ 24,718,376

Any unexpended balances remaining in the appropriations for Victims of Crime Act (fund 0546, appropriation 21601), Child Advocacy Centers (fund 0546, appropriation 45800), Community Corrections (fund 0546, appropriation 56100), Sexual Assault Forensic Examination Commission (fund 0546 appropriation

71400), Qualitative Analysis and Training for Youth Services (fund 0546, appropriation 76200), Justice Reinvestment Initiative (fund 0546, appropriation 89501), and Victims of Crime Act – Surplus (fund 0546, appropriation 21099) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

From the above appropriation for Child Advocacy Centers (fund 0546, appropriation 45800), the Division may retain an amount not to exceed four percent of the appropriation for administrative purposes.

116 - Division of Administrative Services

(W.V. Code Chapter 15A)

Fund 0619 FY 2026 Org 0623

Personal Services and Employee Benefits....00100	\$	5,408,574
Unclassified.....09900		50,000
Current Expenses 13000		<u>555,000</u>
Total.....	\$	6,013,574

DEPARTMENT OF REVENUE

117 - Office of the Secretary

(W.V. Code Chapter 11)

Fund 0465 FY 2026 Org 0701

Personal Services and Employee Benefits....00100	\$	395,153
Salary and Benefits of Cabinet Secretary and Agency Heads 00201		169,820
Repairs and Alterations.....06400		1,262
Equipment.....07000		8,000
Unclassified.....09900		437
Current Expenses 13000		81,594
Other Assets.....69000		500
Directed Transfer 70000		<u>33,688,290</u>
Total.....	\$	34,345,056

Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 0465, appropriation 09600) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

The above appropriation for Directed Transfer shall be transferred to the Personal Income Tax Reserve Fund (fund 1313).

118 - Tax Division

(W.V. Code Chapter 11)

Fund 0470 FY 2026 Org 0702

Personal Services and

Employee Benefits (R)	00100	\$ 20,798,910
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	147,000
Repairs and Alterations.....	06400	10,150
Equipment.....	07000	54,850
Tax Technology Upgrade	09400	3,700,000
Unclassified (R)	09900	174,578
Current Expenses (R).....	13000	6,823,635
Multi State Tax Commission	65300	77,958
Other Assets.....	69000	10,000
BRIM Premium.....	91300	<u>15,579</u>
Total.....		\$ 31,812,660

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0470, appropriation 00100), Unclassified (fund 0470, appropriation 09900), Current Expenses (fund 0470, appropriation 13000), and Integrated Tax Assessment System (fund 0470, appropriation 29200) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

119 - State Budget Office

(W.V. Code Chapter 11B)

Fund 0595 FY 2026 Org 0703

Personal Services and Employee Benefits 00100	\$	1,064,630
Unclassified (R) 09900		9,200
Current Expenses (R) 13000		69,449
Total.....	\$	1,143,279

Any unexpended balances remaining in the appropriations for Unclassified (fund 0595, appropriation 09900) and Current Expenses (fund 0595, appropriation 13000) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

120 - West Virginia Office of Tax Appeals

(W.V. Code Chapter 11)

Fund 0593 FY 2026 Org 0709

Personal Services and Employee Benefits 00100	\$	998,751
Unclassified.....09900		5,255
Current Expenses (R) 13000		229,374
BRIM Premium.....91300		3,062
Total.....	\$	1,236,442

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0593, appropriation 13000) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

121 - State Athletic Commission

(W.V. Code Chapter 29)

Fund 0523 FY 2026 Org 0933

Personal Services and Employee Benefits 00100	\$	7,200
Current Expenses 13000		29,611
Total.....	\$	36,811

DEPARTMENT OF TRANSPORTATION

122 - Division of Multimodal Transportation Facilities –

State Rail Authority

(W.V. Code Chapter 17)

Fund 0506 FY 2026 Org 0810

Personal Services and Employee Benefits 00100	\$	390,790
Current Expenses	13000	287,707
Other Assets (R).....	69000	1,270,019
BRIM Premium.....	91300	<u>201,541</u>
Total.....	\$	2,150,057

Any unexpended balance remaining in the appropriation for Other Assets (fund 0506, appropriation 69000) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

123 - Division of Multimodal Transportation Facilities –

Public Transit

(W.V. Code Chapter 17)

Fund 0510 FY 2026 Org 0810

Equipment (R).....	07000	\$	100,000
Current Expenses (R).....	13000		2,042,989
Buildings (R).....	25800		100,000
Other Assets (R).....	69000		50,000
Federal Funds/Grant Match	74900		<u>1,250,000</u>
Total.....		\$	3,542,989

Any unexpended balances remaining in the appropriations for Equipment (fund 0510, appropriation 07000), Current Expenses (fund 0510, appropriation 13000), Buildings (fund 0510, appropriation 25800), and Other Assets (fund 0510, appropriation 69000) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

From the above appropriation for Current Expenses (fund 0510, appropriation 13000), \$30,000 will be used to support the Sistersville Ferry.

The appropriation for Federal Funds/ Grant Match (fund 0510, appropriation 74900) shall be used to expand public transportation in, but not limited to, Tucker and Morgan counties.

124 - Division of Multimodal Transportation Facilities –

(W.V. Code Chapter 17)

Fund 0580 FY 2026 Org 0810

Personal Services and

Employee Benefits (R)	00100	\$	723,563
Current Expenses (R)	13000		650,000
BRIM Premium.....	91300		<u>7,500</u>
Total.....		\$	1,381,063

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0580, appropriation 00100) and Current Expenses (fund 0580, appropriation 13000) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

125 - Division of Multimodal Transportation Facilities –

Aeronautics Commission

(W.V. Code Chapter 17)

Fund 0582 FY 2026 Org 0810

Personal Services and Employee Benefits	00100	\$	238,109
Repairs and Alterations.....	06400		100
Current Expenses (R)	13000		1,791,839
BRIM Premium.....	91300		<u>4,438</u>
Total.....		\$	2,034,486

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0582, appropriation 13000) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

From the above appropriation for Current Expenses (fund 0582, appropriation 13000) \$1,000,000 shall be used for the North Central West Virginia Airport apron and taxiway project.

DEPARTMENT OF VETERANS' ASSISTANCE

126 - Department of Veterans' Assistance

(W.V. Code Chapter 9A)

Fund 0456 FY 2026 Org 0613

Personal Services and Employee Benefits 00100	\$ 2,696,166
Salary and Benefits of Cabinet Secretary and Agency Heads 00201	110,880
Repairs and Alterations 06400	5,000
Unclassified 09900	20,000
Current Expenses 13000	236,450
Veterans' Field Offices (R) 22800	585,550
Veterans' Nursing Home (R) 28600	11,443,175
Veterans' Toll Free Assistance Line 32800	2,015
Veterans' Reeducation Assistance (R) 32900	10,000
Veterans' Grant Program (R) 34200	335,000
Veterans' Grave Markers 47300	10,000
Veterans' Cemetery (R) 80800	425,279
BRIM Premium 91300	<u>50,000</u>
Total	\$ 15,929,515

Any unexpended balances remaining in the appropriations for Veterans' Field Offices (fund 0456, appropriation 22800), Buildings (fund 0456, appropriation 25800), Buildings – Surplus (fund 0456, appropriation 25899), Veterans' Nursing Home (fund 0456, appropriation 28600), Veterans' Reeducation Assistance (fund 0456, appropriation 32900), Veterans' Grant Program (fund 0456, appropriation 34200), Veterans' Bonus – Surplus (fund 0456, appropriation 34400), Veterans' Cemetery (fund 0456, appropriation 80800), and Educational Opportunities for Children of Deceased Veterans (fund 0456, appropriation 85400) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

*127 - Department of Veterans' Assistance –**Veterans' Home*

(W.V. Code Chapter 9A)

Fund 0460 FY 2026 Org 0618

Personal Services and Employee Benefits 00100	\$	1,548,950
Current Expenses (R)	13000	150,944
Veterans Outreach Programs	61700	<u>214,345</u>
Total	\$	1,914,239

Any unexpended balances remaining in the appropriations for Current Expenses (fund 0460, appropriation 13000) and Capital Outlay, Repairs and Equipment – Surplus (fund 0460, appropriation 67700) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

BUREAU OF SENIOR SERVICES*128 - Bureau of Senior Services*

(W.V. Code Chapter 29)

Fund 0420 FY 2026 Org 0508

Transfer to Division of Human Services

for Health Care and Title XIX Waiver

for Senior Citizens 53900 \$ 6,580,366

The above appropriation for Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens (fund 0420, appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

The above appropriation is in addition to funding provided in the Lottery Senior Citizens Fund (fund 5405) for this program.

**WEST VIRGINIA COUNCIL FOR COMMUNITY
AND TECHNICAL COLLEGE EDUCATION**

129 - West Virginia Council for

Community and Technical College Education –

Control Account

(W.V. Code Chapter 18B)

Fund 0596 FY 2026 Org 0420

West Virginia Council for Community and Technical Education (R)	39200	\$	766,404
Community College			
Workforce Development (R)	87800		2,791,367
College Transition Program	88700		278,222
West Virginia Advance			
Workforce Development (R)	89300		3,126,336
Technical Program Development (R)	89400		1,800,735
WV Invests Grant Program (R)	89401		5,049,753
Skilled Trades Apprenticeship			
Nontraditional Degree	XXXXX		1,033,650
Community and Technical Education			
Workforce Development Grants	XXXXX		0
Total		\$	14,846,467

Any unexpended balances remaining in the appropriations for West Virginia Council for Community and Technical Education (fund 0596, appropriation 39200), Capital Improvements – Surplus (fund 0596, appropriation 66100), Community College Workforce Development (fund 0596, appropriation 87800), West Virginia Advance Workforce Development (fund 0596, appropriation 89300), Technical Program Development (fund 0596, appropriation 89400), and WV Invests Grant Program (fund 0596, appropriation 89401) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

130 - Mountwest Community and Technical College

(W.V. Code Chapter 18B)

Fund 0599 FY 2026 Org 0444

Mountwest Community and

Technical College 48700 \$ 7,070,248

131 - New River Community and Technical College

(W.V. Code Chapter 18B)

Fund 0600 FY 2026 Org 0445

New River Community and

Technical College 35800 \$ 6,900,124

132 - Pierpont Community and Technical College

(W.V. Code Chapter 18B)

Fund 0597 FY 2026 Org 0446

Pierpont Community and

Technical College 93000 \$ 8,461,049

133 - Blue Ridge Community and Technical College

(W.V. Code Chapter 18B)

Fund 0601 FY 2026 Org 0447

Blue Ridge Community and

Technical College 88500 \$ 9,545,266

134 - West Virginia University at Parkersburg

(W.V. Code Chapter 18B)

Fund 0351 FY 2026 Org 0464

West Virginia University – Parkersburg 47100 \$ 11,816,395

135 - Southern West Virginia Community and Technical College

(W.V. Code Chapter 18B)

Fund 0380 FY 2026 Org 0487

Southern West Virginia Community and

Technical College 44600 \$ 9,459,029

136 - West Virginia Northern Community and Technical College

(W.V. Code Chapter 18B)

Fund 0383 FY 2026 Org 0489

West Virginia Northern Community and

Technical College 44700 \$ 8,672,018

137 - Eastern West Virginia Community and Technical College

(W.V. Code Chapter 18B)

Fund 0587 FY 2026 Org 0492

Eastern West Virginia Community and

Technical College 41200 \$ 2,439,405

138 - BridgeValley Community and Technical College

(W.V. Code Chapter 18B)

Fund 0618 FY 2026 Org 0493

BridgeValley Community and

Technical College 71700 \$ 8,931,983

HIGHER EDUCATION POLICY COMMISSION*139 - Higher Education Policy Commission –**Administration –**Control Account*

(W.V. Code Chapter 18B and 18C)

Fund 0589 FY 2026 Org 0441

Personal Services and Employee Benefits 00100	\$ 2,945,386
RHI Program and Site Support –	
RHEP Program Administration (R).....03700	80,000
Mental Health Provider	
Loan Repayment (R).....11301	100,000
Current Expenses	13000 1,096,902
Higher Education Grant Program	16400 40,619,864
Tuition Contract Program (R).....	16500 1,533,917
Underwood-Smith Scholarship Program-	
Student Awards.....	16700 1,478,349
Facilities Planning and Administration.....	38600 1,760,254
Dual Enrollment Program	42201 5,810,625
Higher Education System Initiatives.....	48801 1,655,725
PROMISE Scholarship – Transfer	80000 18,500,000
HEAPS Grant Program (R).....	86700 5,026,840
Health Professionals'	
Student Loan Program (R).....	86701 547,470
Directed Transfer	70000 293,500
West Virginia University College of Law xxxxx	250,000
BRIM Premium.....	91300 17,817
Total.....	\$ 81,716,649

Any unexpended balances remaining in the appropriations for RHI Program and Site Support – RHEP Program Administration (fund 0589, 03700), Mental Health Provider Loan Repayment (fund 0589, appropriation 11301), Tuition Contract Program (fund 0589, appropriation 16500), Fire and EMS Training Program Support – Surplus (fund 0589, appropriation 31099), Dual Enrollment Program (fund 0589, appropriation 42201), Nursing Program Expansion Support – Surplus (fund 0589, appropriation 42299), HEAPS Grant Program (fund 0589, appropriation 86700), and Health Professionals' Student Loan Program (fund 0589, appropriation 86701) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The above appropriation for Facilities Planning and Administration (fund 0589, appropriation 38600) is for operational expenses of the West Virginia Regional Technology Park between construction and full occupancy.

The above appropriation for Higher Education Grant Program (fund 0589, appropriation 16400) shall be transferred to the Higher Education Grant Fund (fund 4933) established by W.V. Code §18C-5-3.

The above appropriation for Underwood-Smith Scholarship Program - Student Awards (fund 0589, appropriation 16700) shall be transferred to the Underwood-Smith Teaching Scholars Program Fund (fund 4922) established by W.V. Code §18C-4-1.

The above appropriation for Directed Transfer (fund 0589, appropriation 70000) shall be transferred to the Military College Advisory Council Fund (fund XXXX).

The above appropriation for PROMISE Scholarship-Transfer (fund 0589, appropriation 80000) shall be transferred to the PROMISE Scholarship Fund (fund 4296) established by W.V. Code §18C-7-7.

The above appropriation for Dual Enrollment Program (fund 0589, appropriation 42201) shall be used for the Dual Enrollment Program established by House Bill 2005 during the 2023 Regular Session.

140 - West Virginia University –

School of Medicine

Medical School Fund

(W.V. Code Chapter 18B)

Fund 0343 FY 2026 Org 0463

WVU School of Health Science –

Eastern Division.....	05600	\$	2,449,725
WVU – School of Health Sciences	17400		16,318,104

WVU – School of Health Sciences –

Charleston Division	17500	2,503,592
Rural Health Outreach Programs (R).....	37700	172,019
West Virginia University School of		
Medicine BRIM Subsidy	46000	<u>1,203,087</u>
Total.....		\$ 22,646,527

Any unexpended balance remaining in the appropriation for Rural Health Outreach Programs (fund 0343, appropriation 37700) at the close of fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

*141 - West Virginia University –**General Administrative Fund*

(W.V. Code Chapter 18B)

Fund 0344 FY 2026 Org 0463

West Virginia University	45900	\$ 96,507,802
West Virginia University		
Land Grant Match.....	45101	8,644,064
Jackson's Mill (R)	46100	516,910
West Virginia University		
Institute of Technology.....	47900	8,892,384
State Priorities – Brownfield		
Professional Development (R).....	53100	816,556
Washington Center.....	xxxxx	1,500,000
Energy Express (R)	86100	386,592
West Virginia University – Potomac State ...	99400	<u>5,307,402</u>
Total.....		\$ 122,571,710

From the above appropriation for Jackson's Mill (fund 0344, appropriation 46100), \$250,000 shall be used for the West Virginia State Fire Training Academy and \$43,000 shall be used for the West Virginia University Fire Extension Service to fund a study to improve volunteer fire departments.

Any unexpended balances remaining in the appropriations for West Virginia University – Surplus (fund 0344, appropriation

30099), Jackson's Mill (fund 0344, appropriation 46100), State Priorities – Brownfield Professional Development (fund 0344, appropriation 53100), National Cancer Institute - Surplus (fund 0344, appropriation 65399), and Energy Express (fund 0344, appropriation 86100) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

142 - Marshall University –

School of Medicine

(W.V. Code Chapter 18B)

Fund 0347 FY 2026 Org 0471

Marshall Medical School	17300	\$ 8,466,806
Rural Health Outreach Program (R)	37700	161,176
Forensic Lab (R)	37701	227,859
Center for Rural Health (R)	37702	170,920
Marshall University Medical School		
BRIM Subsidy	44900	<u>872,612</u>
Total		\$ 9,899,373

Any unexpended balances remaining in the appropriations for Rural Health Outreach Programs (fund 0347, appropriation 37700), Forensic Lab (fund 0347, appropriation 37701), and Center for Rural Health (fund 0347, appropriation 37702) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

143 - Marshall University –

General Administration Fund

(W.V. Code Chapter 18B)

Fund 0348 FY 2026 Org 0471

Marshall University	44800	\$ 53,963,819
Marshall University		
Minority Health Institute	42301	100,000
Luke Lee Listening Language		
and Learning Lab (R)	44801	159,287

Vista E-Learning (R).....	51900	229,019
National Youth Science Camp.....	13200	1,000,000
State Priorities – Brownfield		
Professional Development (R).....	53100	809,606
Marshall University Graduate College		
Writing Project (R)	80700	25,412
WV Autism Training Center (R)	93200	<u>2,011,949</u>
Total.....		\$ 58,299,092

Any unexpended balances remaining in the appropriations for Luke Lee Listening Language and Learning Lab (fund 0348, appropriation 44801), VISTA E-Learning (fund 0348, appropriation 51900), State Priorities – Brownfield Professional Development (fund 0348, appropriation 53100), Marshall University Graduate College Writing Project (fund 0348, appropriation 80700), WV Autism Training Center (fund 0348, appropriation 93200), Marshall University Minority Health Institute (fund 0348, appropriation 42301), and Marshall University Cybersecurity Program – Surplus (fund 0348, appropriation 42302) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

144 - West Virginia School of Osteopathic Medicine

(W.V. Code Chapter 18B)

Fund 0336 FY 2026 Org 0476

West Virginia School of		
Osteopathic Medicine	17200	\$ 5,696,122
Rural Health Outreach Programs (R).....	37700	176,190
West Virginia School of		
Osteopathic Medicine BRIM Subsidy	40300	153,405
Rural Health Initiative –		
Medical Schools Support.....	58100	<u>421,157</u>
Total.....		\$ 6,446,874

Any unexpended balances remaining in the appropriations for West Virginia School of Osteopathic Medicine – Surplus (fund 0336, appropriation 17299), Rural Health Outreach Programs

(fund 0336, appropriation 37700), and Capital Outlay, Repairs and Equipment – Surplus (fund 0336, appropriation 67700) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

145 - Bluefield State University

(W.V. Code Chapter 18B)

Fund 0354 FY 2026 Org 0482

Bluefield State University.....40800 \$ 7,094,661

146 - Concord University

(W.V. Code Chapter 18B)

Fund 0357 FY 2026 Org 0483

Concord University.....41000 \$ 11,494,967

147 - Fairmont State University

(W.V. Code Chapter 18B)

Fund 0360 FY 2026 Org 0484

Fairmont State University.....41400 \$ 20,634,815

148 - Glenville State University

(W.V. Code Chapter 18B)

Fund 0363 FY 2026 Org 0485

Glenville State University.....42800 \$ 7,591,844

149 - Shepherd University

(W.V. Code Chapter 18B)

Fund 0366 FY 2026 Org 0486

Shepherd University.....43200 \$ 13,704,338

150 - West Liberty University

(W.V. Code Chapter 18B)

Fund 0370 FY 2026 Org 0488

West Liberty University.....43900 \$ 10,416,184

151 - West Virginia State University

(W.V. Code Chapter 18B)

Fund 0373 FY 2026 Org 0490

West Virginia State University 44100 \$ 11,989,550

Healthy Grandfamilies (R).....62101 800,000

LPN to BSN.....xxxxx 250,000

West Virginia State University

Land Grant Match.....95600 5,000,000

Total..... \$ 18,039,550

Any unexpended balance remaining in the appropriation for Healthy Grandfamilies (fund 0373, appropriation 62101) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

*152 - Higher Education Policy Commission –**Administration -**West Virginia Network for Educational Telecomputing (WVNET)*

(W.V. Code Chapter 18B)

Fund 0551 FY 2026 Org 0495

WVNET 16900 \$ 1,977,941

MISCELLANEOUS BOARDS AND COMMISSIONS*153 - Adjutant General –**State Militia*

(W.V. Code Chapter 15)

Fund 0433 FY 2026 Org 0603

Salary and Benefits of Cabinet Secretary

and Agency Heads	00201	\$	189,000
Unclassified (R)	09900		106,798
College Education Fund.....	23200		2,500,000
Civil Air Patrol.....	23400		199,664
Armory Board Transfer.....	70015		2,317,555
Mountaineer ChalleNGe Academy	70900		3,614,600
SEARCH Director	xxxxx		70,000
Military Authority (R).....	74800		6,681,954
Drug Enforcement and Support	74801		<u>1,451,713</u>
Total.....		\$	17,131,284

Any unexpended balances remaining in the appropriations for Unclassified (fund 0433, appropriation 09900), Recruit WV Employment Program – Surplus (fund 0433, appropriation 30799), Capital Outlay, Repairs and Equipment – Surplus (fund 0433, appropriation 67700), Armory Board Transfers – Surplus (fund 0433, appropriation 70299), Mountaineer ChalleNGe Academy (fund 0433, appropriation 70900), Military Authority (fund 0433, appropriation 74800), Military Authority – Surplus (fund 0433, appropriation 74899), and Federal Funds/Grant Match (fund 0433, appropriation 85700) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

From the above appropriations an amount approved by the Adjutant General may be transferred to the State Armory Board for operation and maintenance of National Guard Armories.

The Adjutant General shall have the authority to transfer between appropriations.

From the above appropriation and other state and federal funding, the Adjutant General shall provide an amount not less than \$3,614,600 to the Mountaineer ChalleNGe Academy to meet anticipated program demand.

*154 - Adjutant General –**Military Fund*

(W.V. Code Chapter 15)

Fund 0605 FY 2026 Org 0603

Personal Services and Employee Benefits 00100	\$	100,000
Current Expenses	13000	<u>57,775</u>
Total	\$	157,775
Total TITLE II, Section 1 – General Revenue		
(Including claims against the state)		<u>\$5,317,557,000</u>

Sec. 2. Appropriations from state road fund.—From the state road fund there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2026.

DEPARTMENT OF TRANSPORTATION*155 - Division of Motor Vehicles*

(W.V. Code Chapters 17, 17A, 17B, 17C, 17D, 20, and 24A)

Fund 9007 FY 2026 Org 0802

	Appropriation	State Road Fund
Personal Services and Employee Benefits 00100	\$	43,505,517
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	129,500
Repairs and Alterations	06400	144,000
Equipment	07000	1,080,000
Current Expenses	13000	27,556,730
Buildings	25800	10,000
Other Assets	69000	2,480,000
BRIM Premium	91300	<u>110,000</u>
Total		\$ 75,015,747

156 - Division of Highways

(W.V. Code Chapters 17 and 17C)

Fund 9017 FY 2026 Org 0803

Salary and Benefits of Cabinet Secretary

and Agency Heads	00201	\$	200,000
Debt Service.....	04000		120,000,000
Maintenance.....	23700		700,235,315
Inventory Revolving	27500		17,000,000
Equipment Revolving	27600		52,950,166
General Operations	27700		186,166,680
Interstate Construction.....	27800		275,000,000
Other Federal Aid Programs	27900		450,000,000
Appalachian Programs	28000		250,000,000
Highway Litter Control.....	28200		<u>1,650,000</u>
Total.....		\$	2,053,202,161

The above appropriations are to be expended in accordance with the provisions of Chapters 17 and 17C of the W.V. Code.

The Commissioner of Highways shall have the authority to operate revolving funds within the State Road Fund for the operation and purchase of various types of equipment used directly and indirectly in the construction and maintenance of roads and for the purchase of inventories and materials and supplies.

There is hereby appropriated in addition to the above appropriations, sufficient money for the payment of claims, accrued or arising during this budgetary period, to be paid in accordance with Sections 17, 17a and 18, Article 2, Chapter 14 of the W.V. Code.

It is the intent of the Legislature to capture and match all federal funds available for expenditure on the Appalachian highway system at the earliest possible time. Therefore, should amounts in excess of those appropriated be required for the purposes of Appalachian Programs, funds in excess of the amount appropriated may be made available upon recommendation of the Commissioner and approval of the Governor. Further, for the

purpose of Appalachian Programs, funds appropriated by appropriation may be transferred to other appropriations upon recommendation of the Commissioner and approval of the Governor.

Total TITLE II, Section 2 – State Road Fund

(Including claims against the state) \$2,129,082,658

Sec. 3. Appropriations from other funds.—From the funds designated there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2026.

LEGISLATIVE

157 - Crime Victims Compensation Fund

(W.V. Code Chapter 14)

Fund 1731 FY 2026 Org 2300

	Appro- piation	Other Funds
Personal Services and Employee Benefits....00100	\$ 498,020	
Repairs and Alterations.....06400		1,000
Current Expenses 13000		133,903
Economic Loss Claim Payment Fund.....33400		2,000,000
Other Assets 69000		<u>3,700</u>
Total.....	\$	2,636,623

JUDICIAL

158 - Supreme Court –

Court Advanced Technology Subscription Fund

(W.V. Code Chapter 51)

Fund 1704 FY 2026 Org 2400

Current Expenses 13000 \$ 100,000

159 - Supreme Court –

Adult Drug Court Participation Fund

(W.V. Code Chapter 62)

Fund 1705 FY 2026 Org 2400

Current Expenses 13000 \$ 200,000

160 - Supreme Court –

Family Court Fund

(W.V. Code Chapter 51)

Fund 1763 FY 2026 Org 2400

Current Expenses 13000 \$ 900,000

161 - Supreme Court –

Court Facilities Maintenance Fund

(W.V. Code Chapter 51)

Fund 1766 FY 2026 Org 2400

Repairs and Alterations.....06400 \$ 70,000

Current Expenses 13000 680,000

Total..... \$ 750,000

EXECUTIVE

162 - Governor's Office –

Minority Affairs Fund

(W.V. Code Chapter 5)

Fund 1058 FY 2026 Org 0100

Personal Services and Employee Benefits 00100	\$	239,958
Martin Luther King, Jr. Holiday Celebration.....03100		8,926
Current Expenses 13000		<u>453,200</u>
Total.....	\$	702,084

163 - Auditor's Office –

Grant Recovery Fund

(W.V. Code Chapter 12)

Fund 1205 FY 2026 Org 1200

Repairs and Alterations.....06400	\$	2,000
Equipment.....07000		7,000
Current Expenses 13000		<u>191,000</u>
Total.....	\$	200,000

164 - Auditor's Office –

Land Operating Fund

(W.V. Code Chapters 11A, 12, and 36)

Fund 1206 FY 2026 Org 1200

Personal Services and Employee Benefits 00100	\$	901,372
Repairs and Alterations.....06400		2,600
Equipment.....07000		426,741
Unclassified.....09900		15,139
Current Expenses 13000		715,291
Cost of Delinquent Land Sale 76800		<u>1,841,168</u>
Total.....	\$	3,902,311

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the necessary amount for the expenditure of funds other than Personal Services and Employee Benefits to enable the division to pay the direct expenses relating to land sales as provided in Chapter 11A of the West Virginia Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

165 - Auditor's Office –

Local Government Purchasing Card Expenditure Fund

(W.V. Code Chapter 6)

Fund 1224 FY 2026 Org 1200

Personal Services and Employee Benefits 00100	\$	670,729
Repairs and Alterations 06400		6,000
Equipment 07000		10,805
Current Expenses 13000		282,030
Other Assets 69000		50,000
Statutory Revenue Distribution.....74100		<u>3,500,000</u>
Total.....	\$	4,519,564

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer of revenue distribution requirements to provide a proportionate share of rebates back to the general fund of local governments based on utilization of the program in accordance with W.V. Code §6-9-2b.

166 - Auditor's Office –

Securities Regulation Fund

(W.V. Code Chapter 32)

Fund 1225 FY 2026 Org 1200

Personal Services and Employee Benefits 00100	\$	3,579,931
Repairs and Alterations 06400		12,400
Equipment 07000		594,700
Unclassified.....09900		31,866
Current Expenses 13000		1,463,830
Other Assets 69000		<u>1,200,000</u>
Total.....	\$	6,882,727

*167 - Auditor's Office –**Technology Support and Acquisition Fund*

(W.V. Code Chapter 12)

Fund 1233 FY 2026 Org 1200

Current Expenses	13000	\$	10,000
Other Assets	69000		<u>5,000</u>
Total		\$	15,000

Fifty percent of the deposits made into this fund shall be transferred to the Treasurer's Office – Technology Support and Acquisition Fund (fund 1329) for expenditure for the purposes described in W.V. Code §12-3-10c.

*168 - Auditor's Office –**Purchasing Card Administration Fund*

(W.V. Code Chapter 12)

Fund 1234 FY 2026 Org 1200

Personal Services and Employee Benefits 00100	\$	3,927,244
Repairs and Alterations.....06400		5,500
Equipment.....07000		850,000
Current Expenses	13000	2,303,622
Other Assets.....69000		508,886
Statutory Revenue Distribution.....74100		<u>8,000,000</u>
Total.....	\$	15,595,252

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer and revenue distribution requirements to the Purchasing Improvement Fund (fund 2264), the Entrepreneurship and Innovation Investment Fund (fund 3014), the Hatfield-McCoy Regional Recreation Authority, and the State Park Operating Fund (fund 3265) per W.V. Code §12-3-10d.

*169 - Auditor's Office –**Chief Inspector's Fund*

(W.V. Code Chapter 6)

Fund 1235 FY 2026 Org 1200

Personal Services and Employee Benefits....00100	\$	3,910,235
Equipment.....07000		50,000
Current Expenses 13000		<u>765,915</u>
Total.....	\$	4,726,150

*170 - Auditor's Office –**Private Trust Company Application Fund*

(W.V. Code Chapters 31 and 46)

Fund 1241 FY 2026 Org 1200

Equipment.....07000	\$	30,000
Current Expenses 13000		<u>60,000</u>
Total.....	\$	90,000

*171 - Department of Agriculture –**Agriculture Fees Fund*

(W.V. Code Chapters 19)

Fund 1401 FY 2026 Org 1400

Personal Services and Employee Benefits....00100	\$	3,102,402
Repairs and Alterations.....06400		158,500
Equipment.....07000		436,209
Unclassified.....09900		37,425
Current Expenses 13000		1,856,184
Other Assets.....69000		<u>10,000</u>
Total.....	\$	5,600,720

*172 - Department of Agriculture –
West Virginia Rural Rehabilitation Program*

(W.V. Code Chapter 19)

Fund 1408 FY 2026 Org 1400

Personal Services and Employee Benefits....00100	\$	85,293
Unclassified.....09900		10,476
Current Expenses 13000		<u>2,200,000</u>
Total.....	\$	2,295,769

*173 - Department of Agriculture –
General John McCausland Memorial Farm Fund*

(W.V. Code Chapter 19)

Fund 1409 FY 2026 Org 1400

Personal Services and Employee Benefits....00100	\$	85,545
Repairs and Alterations.....06400		36,400
Equipment 07000		15,000
Unclassified.....09900		2,100
Current Expenses 13000		<u>89,500</u>
Total.....	\$	228,545

The above appropriations shall be expended in accordance with Article 26, Chapter 19 of the Code.

*174 - Department of Agriculture –
Farm Operating Fund*

(W.V. Code Chapter 19)

Fund 1412 FY 2026 Org 1400

Personal Services and Employee Benefits....00100	\$	932,035
Repairs and Alterations.....06400		388,722
Equipment 07000		399,393
Unclassified.....09900		15,173

Current Expenses	13000	1,367,464
Other Assets	69000	<u>20,000</u>
Total		\$ 3,122,787

175 - Department of Agriculture –

Capital Improvements Fund

(W.V. Code Chapter 19)

Fund 1413 FY 2026 Org 1400

Repairs and Alterations	06400	250,000
Equipment	07000	350,000
Unclassified	09900	20,000
Current Expenses	13000	510,000
Buildings	25800	670,000
Other Assets	69000	<u>200,000</u>
Total		\$ 2,000,000

176 - Department of Agriculture –

Agriculture Development Fund

(W.V. Code Chapter 19)

Fund 1423 FY 2026 Org 1400

Current Expenses	13000	\$ 100,000

177 - Department of Agriculture –

Donated Food Fund

(W.V. Code Chapter 19)

Fund 1446 FY 2026 Org 1400

Personal Services and Employee Benefits	00100	\$ 1,163,783
Repairs and Alterations	06400	128,500
Equipment	07000	10,000
Unclassified	09900	45,807
Current Expenses	13000	3,410,542

Other Assets.....	69000	27,000
Land	73000	<u>250,000</u>
Total.....		\$ 5,035,632

178 - Department of Agriculture –

Integrated Predation Management Fund

(W.V. Code Chapter 7)

Fund 1465 FY 2026 Org 1400

Current Expenses	13000	\$ 112,500

179 - Department of Agriculture –

West Virginia Spay Neuter Assistance Fund

(W.V. Code Chapter 19)

Fund 1481 FY 2026 Org 1400

Personal Services and Employee Benefits 00100	\$ 100,000
Current Expenses	<u>1,000,000</u>
Total.....	\$ 1,100,000

180 - Department of Agriculture –

Veterans and Warriors to Agriculture Fund

(W.V. Code Chapter 19)

Fund 1483 FY 2026 Org 1400

Current Expenses	13000	\$ 7,500

181 - Department of Agriculture –

State FFA-FHA Camp and Conference Center

(W.V. Code Chapters 18 and 18A)

Fund 1484 FY 2026 Org 1400

Personal Services and Employee Benefits 00100	\$ 1,289,160
Repairs and Alterations 06400	82,500
Equipment 07000	76,000
Unclassified.....09900	17,000
Current Expenses 13000	1,143,306
Buildings 25800	1,000
Other Assets 69000	10,000
Land 73000	1,000
Total.....	\$ 2,619,966

182 - Attorney General –

Antitrust Enforcement Fund

(W.V. Code Chapter 47)

Fund 1507 FY 2026 Org 1500

Personal Services and Employee Benefits 00100	\$ 371,036
Repairs and Alterations 06400	1,000
Equipment 07000	1,000
Current Expenses 13000	148,803
Total.....	\$ 521,839

183 - Attorney General –

Preneed Burial Contract Regulation Fund

(W.V. Code Chapter 47)

Fund 1513 FY 2026 Org 1500

Personal Services and Employee Benefits 00100	\$ 240,959
Repairs and Alterations 06400	1,000
Equipment 07000	1,000
Current Expenses 13000	54,615
Total.....	\$ 297,574

184 - Attorney General –

Preneed Funeral Guarantee Fund

(W.V. Code Chapter 47)

Fund 1514 FY 2026 Org 1500

Current Expenses 13000 \$ 901,135

*185 - Secretary of State –**Service Fees and Collection Account*

(W.V. Code Chapters 3, 5, and 59)

Fund 1612 FY 2026 Org 1600

Personal Services and Employee Benefits 00100 \$ 1,196,867

Unclassified.....09900 4,524

Current Expenses 13000 8,036

Total..... \$ 1,209,427

*186 - Secretary of State –**General Administrative Fees Account*

(W.V. Code Chapters 3, 5, and 59)

Fund 1617 FY 2026 Org 1600

Personal Services and Employee Benefits 00100 \$ 3,248,467

Unclassified.....09900 25,529

Current Expenses 13000 1,276,716

Technology Improvements 59900 1,370,000

Total..... \$ 5,920,712

DEPARTMENT OF ADMINISTRATION*187 - Department of Administration –**Office of the Secretary –**Tobacco Settlement Fund*

(W.V. Code Chapter 4)

Fund 2041 FY 2026 Org 0201

Tobacco Settlement Securitization

Trustee Passthru.....	65000	\$ 80,000,000

*188 - Department of Administration –**Office of the Secretary –**Employee Pension and Health Care Benefit Fund*

(W.V. Code Chapter 18)

Fund 2044 FY 2026 Org 0201

Current Expenses	13000	\$ 39,831,000

The above appropriation for Current Expenses (fund 2044, appropriation 13000) shall be transferred to the Consolidated Public Retirement Board – Teachers' Accumulation Fund (fund 2600).

*189 - Department of Administration –**Division of Finance –**Shared Services Section Fund*

(W.V. Code Chapter 5A)

Fund 2020 FY 2026 Org 0209

Personal Services and Employee Benefits 00100	\$	1,638,791
Current Expenses		<u>500,000</u>
Total.....	\$	2,138,791

*190 - Division of Purchasing –**Vendor Fee Fund*

(W.V. Code Chapter 5A)

Fund 2263 FY 2026 Org 0213

Personal Services and Employee Benefits 00100	\$	611,378
Current Expenses 13000		9,115
BRIM Premium.....91300		810
Total.....	\$	621,303

191 - Division of Purchasing –

Purchasing Improvement Fund

(W.V. Code Chapter 5A)

Fund 2264 FY 2026 Org 0213

Personal Services and Employee Benefits 00100	\$	1,060,880
Repairs and Alterations 06400		500
Equipment 07000		500
Unclassified.....09900		5,562
Current Expenses 13000		492,066
Other Assets 69000		500
BRIM Premium.....91300		850
Total.....	\$	1,560,858

192 - Travel Management –

Aviation Fund

(W.V. Code Chapter 5A)

Fund 2302 FY 2026 Org 0215

Repairs and Alterations 06400	\$	1,275,237
Equipment 07000		1,000
Unclassified.....09900		1,000
Current Expenses 13000		149,700
Buildings 25800		100
Other Assets 69000		100
Land 73000		100
Total.....	\$	1,427,237

193 - Fleet Management Division Fund

(W.V. Code Chapter 5A)

Fund 2301 FY 2026 Org 0216

Personal Services and Employee Benefits....00100	\$	839,903
Repairs and Alterations.....06400		12,000
Equipment.....07000		800,000
Unclassified.....09900		4,000
Current Expenses.....13000		11,630,614
Other Assets.....69000		<u>2,000</u>
Total.....	\$	13,288,517

194 - Division of Personnel

(W.V. Code Chapter 29)

Fund 2440 FY 2026 Org 0222

Personal Services and Employee Benefits....00100	\$	5,034,147
Salary and Benefits of Cabinet Secretary and Agency Heads.....00201		122,500
Repairs and Alterations.....06400		5,000
Equipment.....07000		20,000
Unclassified.....09900		51,418
Current Expenses.....13000		1,262,813
Other Assets.....69000		<u>60,000</u>
Total.....	\$	6,555,878

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Personnel.

195 - West Virginia Prosecuting Attorneys Institute

(W.V. Code Chapter 7)

Fund 2521 FY 2026 Org 0228

Personal Services and Employee Benefits....00100	\$	139,779
Salary and Benefits of Cabinet Secretary and Agency Heads.....00201		119,000
Repairs and Alterations.....06400		600
Equipment.....07000		500

Unclassified.....	09900	4,023
Current Expenses	13000	297,528
Other Assets	69000	500
Total.....		\$ 561,930

196 - Office of Technology –

Office of Technology Fund

(W.V. Code Chapter 5A)

Fund 2220 FY 2026 Org 0231

Personal Services and Employee Benefits....	00100	\$ 24,213,297
Repairs and Alterations	06400	1,000
Equipment	07000	2,100,000
Unclassified.....	09900	351,068
Current Expenses	13000	57,927,608
Other Assets	69000	1,055,000
Total.....		\$ 85,647,973

197 - Office of Technology –

Technology Infrastructure Reinvestment Fund

(W.V. Code Chapter 31)

Fund 2209 FY 2026 Org 0231

Current Expenses	13000	\$ 400,000

DEPARTMENT OF COMMERCE

198 - Division of Forestry

(W.V. Code Chapter 19)

Fund 3081 FY 2026 Org 0305

Personal Services and Employee Benefits....	00100	\$ 224,509
Repairs and Alterations	06400	53,000
Equipment	07000	300,000
Current Expenses	13000	439,830

Total..... \$ 1,017,339

199 - Division of Forestry –

Timbering Operations Enforcement Fund

(W.V. Code Chapter 19)

Fund 3082 FY 2026 Org 0305

Personal Services and Employee Benefits 00100	\$	265,835
Repairs and Alterations.....06400		11,250
Current Expenses 13000		<u>54,873</u>
Total.....	\$	331,958

200 - Division of Forestry –

Severance Tax Operations

(W.V. Code Chapter 11)

Fund 3084 FY 2026 Org 0305

Current Expenses 13000	\$	282,614

201 - Geological and Economic Survey –

Geological and Analytical Services Fund

(W.V. Code Chapter 29)

Fund 3100 FY 2026 Org 0306

Personal Services and Employee Benefits 00100	\$	37,966
Repairs and Alterations.....06400		50,000
Equipment.....07000		20,000
Unclassified.....09900		2,182
Current Expenses 13000		141,631
Other Assets 69000		<u>10,000</u>
Total.....	\$	261,779

The above appropriations shall be used in accordance with W.V. Code §29-2-4.

*202 - Office of Energy –**Energy Assistance*

(W.V. Code Chapter 5B)

Fund 3010 FY 2026 Org 0307

Energy Assistance - Total	64700	\$	7,211

*203 - Division of Economic Development –**Broadband Enhancement Fund*

(W.V. Code Chapter 31G)

Fund 3013 FY 2026 Org 0307

Personal Services and Employee Benefits 00100	\$	133,072
Current Expenses	13000	<u>1,648,318</u>
Total	\$	1,781,390

*204 - Division of Economic Development –**Entrepreneurship and Innovation Investment Fund*

(W.V. Code Chapter 5B)

Fund 3014 FY 2026 Org 0307

Entrepreneurship and Innovation

Investment Fund	70301	\$	1,500,000

*205 - Division of Economic Development –**Broadband Development Fund*

(W.V. Code Chapter 31G)

Fund 3034 FY 2026 Org 0307

Personal Services and Employee Benefits 00100	\$	687,121
Unclassified	09900	2,000,000
Current Expenses	13000	<u>235,302,925</u>

Total..... \$ 237,990,046

206 - Division of Economic Development –

Office of Coalfield Community Development

(W.V. Code Chapter 5B)

Fund 3162 FY 2026 Org 0307

Personal Services and Employee Benefits 00100	\$	440,848
Unclassified.....09900		8,300
Current Expenses 13000		<u>399,191</u>
Total.....	\$	848,339

207 - Division of Labor –

West Virginia Jobs Act Fund

(W.V. Code Chapter 21)

Fund 3176 FY 2026 Org 0308

Equipment.....07000	\$	25,000
Current Expenses 13000		<u>75,000</u>
Total.....	\$	100,000

208 - Division of Labor –

HVAC Fund

(W.V. Code Chapter 21)

Fund 3186 FY 2026 Org 0308

Personal Services and Employee Benefits 00100	\$	482,855
Repairs and Alterations 06400		4,500
Unclassified.....09900		4,000
Current Expenses 13000		82,000
Buildings 25800		1,000
BRIM Premium.....91300		<u>8,500</u>
Total.....	\$	582,855

*209 - Division of Labor –**Elevator Safety Fund*

(W.V. Code Chapter 21)

Fund 3188 FY 2026 Org 0308

Personal Services and Employee Benefits 00100	\$	299,995
Salary and Benefits of Cabinet Secretary and Agency Heads 00201		129,221
Repairs and Alterations 06400		2,000
Unclassified 09900		2,261
Current Expenses 13000		94,712
Buildings 25800		1,000
BRIM Premium 91300		8,500
Total	\$	537,689

*210 - Division of Labor –**Steam Boiler Fund*

(W.V. Code Chapter 21)

Fund 3189 FY 2026 Org 0308

Personal Services and Employee Benefits 00100	\$	83,471
Repairs and Alterations 06400		2,000
Unclassified 09900		1,000
Current Expenses 13000		20,000
Buildings 25800		1,000
BRIM Premium 91300		1,000
Total	\$	108,471

*211 - Division of Labor –**Crane Operator Certification Fund*

(W.V. Code Chapter 21)

Fund 3191 FY 2026 Org 0308

Personal Services and Employee Benefits 00100	\$	141,576
Repairs and Alterations 06400		1,500
Unclassified.....09900		380
Current Expenses 13000		46,175
Buildings 25800		1,000
BRIM Premium.....91300		<u>7,000</u>
Total.....	\$	197,631

212 - Division of Labor –

Amusement Rides and Amusement Attraction Safety Fund

(W.V. Code Chapter 21)

Fund 3192 FY 2026 Org 0308

Personal Services and Employee Benefits 00100	\$	202,269
Repairs and Alterations 06400		2,000
Unclassified.....09900		1,281
Current Expenses 13000		44,520
Buildings 25800		1,000
BRIM Premium.....91300		<u>8,500</u>
Total.....	\$	259,570

213 - Division of Labor –

State Manufactured Housing Administration Fund

(W.V. Code Chapter 21)

Fund 3195 FY 2026 Org 0308

Personal Services and Employee Benefits 00100	\$	303,686
Repairs and Alterations 06400		1,000
Unclassified.....09900		1,847
Current Expenses 13000		43,700
Buildings 25800		1,000
BRIM Premium.....91300		<u>3,404</u>
Total.....	\$	354,637

*214 - Division of Labor –**Weights and Measures Fund*

(W.V. Code Chapter 47)

Fund 3196 FY 2026 Org 0308

Repairs and Alterations.....	06400	\$	10,000
Equipment.....	07000		10,000
Unclassified.....	09900		1,200
Current Expenses	13000		93,000
BRIM Premium.....	91300		7,000
Total.....		\$	121,200

*215 - Division of Labor –**Bedding and Upholstery Fund*

(W.V. Code Chapter 47)

Fund 3198 FY 2026 Org 0308

Personal Services and Employee Benefits....	00100	\$	156,381
Repairs and Alterations.....	06400		2,000
Unclassified.....	09900		2,000
Current Expenses	13000		145,400
Buildings	25800		1,000
BRIM Premium.....	91300		8,700
Total.....		\$	315,481

*216 - Division of Labor –**Psychophysiological Examiners Fund*

(W.V. Code Chapter 21)

Fund 3199 FY 2026 Org 0308

Current Expenses	13000	\$	4,000

*217 - Division of Natural Resources –**License Fund – Wildlife Resources*

(W.V. Code Chapter 20)

Fund 3200 FY 2026 Org 0310

Wildlife Resources.....	02300	\$ 11,294,856
Administration	15500	2,823,713
Capital Improvements and		
Land Purchase (R)	24800	2,823,714
Law Enforcement.....	80600	<u>11,294,856</u>
Total.....		\$ 28,237,139

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Natural Resources.

Any unexpended balance remaining in the appropriation for Capital Improvements and Land Purchase (fund 3200, appropriation 24800) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

*218 - Division of Natural Resources –**Natural Resources Game Fish and Aquatic Life Fund*

(W.V. Code Chapter 22)

Fund 3202 FY 2026 Org 0310

Current Expenses	13000	\$ 125,000

*219 - Division of Natural Resources –**Nongame Fund*

(W.V. Code Chapter 20)

Fund 3203 FY 2026 Org 0310

Personal Services and Employee Benefits....	00100	\$ 727,138

Equipment	07000	106,615
Current Expenses	13000	<u>201,810</u>
Total		\$ 1,035,563

220 - Division of Natural Resources –

Planning and Development Division

(W.V. Code Chapter 20)

Fund 3205 FY 2026 Org 0310

Personal Services and Employee Benefits	00100	\$ 482,802
Repairs and Alterations	06400	15,016
Equipment	07000	308,300
Current Expenses	13000	1,056,876
Buildings	25800	8,300
Other Assets	69000	1,900,000
Land	73000	<u>31,700</u>
Total		\$ 3,802,994

221 - Division of Natural Resources –

State Parks and Recreation Endowment Fund

(W.V. Code Chapter 20)

Fund 3211 FY 2026 Org 0310

Repairs and Alterations	06400	\$ 3,000
Equipment	07000	2,000
Current Expenses	13000	6,000
Buildings	25800	3,000
Other Assets	69000	3,504,000
Land	73000	<u>2,000</u>
Total		\$ 3,520,000

222 - Division of Natural Resources –

Whitewater Study and Improvement Fund

(W.V. Code Chapter 20)

Fund 3253 FY 2026 Org 0310

Personal Services and Employee Benefits 00100	\$	76,836
Equipment 07000		1,297
Current Expenses 13000		64,778
Buildings 25800		<u>6,969</u>
Total	\$	149,880

*223 - Division of Natural Resources –**Whitewater Advertising and Promotion Fund*

(W.V. Code Chapter 20)

Fund 3256 FY 2026 Org 0310

Unclassified.....09900	\$	200
Current Expenses 13000		<u>19,800</u>
Total	\$	20,000

*224 - Division of Miners' Health, Safety and Training –**Special Health, Safety and Training Fund*

(W.V. Code Chapter 22A)

Fund 3355 FY 2026 Org 0314

Personal Services and Employee Benefits 00100	\$	543,068
W.V. Mining Extension Service 02600		150,000
Unclassified.....09900		23,700
Current Expenses 13000		<u>1,671,842</u>
Total	\$	2,388,610

*225 - Department of Commerce –**Office of the Secretary –**Marketing and Communications Operating Fund*

(W.V. Code Chapter 5B)

Fund 3002 FY 2026 Org 0327

Personal Services and Employee Benefits 00100	\$ 2,335,679
Equipment 07000	36,000
Unclassified.....09900	30,000
Current Expenses 13000	<u>1,315,078</u>
Total.....	\$ 3,716,757

226 - State Board of Rehabilitation –

Division of Rehabilitation Services –

West Virginia Rehabilitation Center Special Account

(W.V. Code Chapter 18)

Fund 8664 FY 2026 Org 0932

Personal Services and Employee Benefits 00100	\$ 119,738
Repairs and Alterations 06400	85,500
Equipment 07000	220,000
Current Expenses 13000	1,180,122
Buildings 25800	150,000
Other Assets 69000	<u>150,000</u>
Total.....	\$ 1,905,360

DEPARTMENT OF TOURISM

227 - Division of Culture and History –

Public Records and Preservation Revenue Account

(W.V. Code Chapter 5A)

Fund 3542 FY 2026 Org 0432

Personal Services and Employee Benefits 00100	\$ 254,946
Equipment 07000	75,000
Current Expenses 13000	862,241
Buildings 25800	1,000
Other Assets 69000	52,328
Land 73000	<u>1,000</u>
Total.....	\$ 1,246,515

DEPARTMENT OF EDUCATION**228 - State Board of Education –***Strategic Staff Development*

(W.V. Code Chapter 18)

Fund 3937 FY 2026 Org 0402

Personal Services and Employee Benefits 00100	\$	35,000
Unclassified.....09900		26,000
Current Expenses 13000		<u>2,039,000</u>
Total.....	\$	2,100,000

229 - School Building Authority –*School Construction Fund*

(W.V. Code Chapters 18 and 18A)

Fund 3952 FY 2026 Org 0404

SBA Construction Grants 24000	\$	152,345,818
Directed Transfer 70000		<u>1,516,472</u>
Total.....	\$	153,862,290

The above appropriation for Directed Transfer (fund 3952, appropriation 70000) shall be transferred to the School Building Authority Fund (fund 3959) for the administrative expenses of the School Building Authority.

230 - School Building Authority

(W.V. Code Chapter 18)

Fund 3959 FY 2026 Org 0404

Personal Services and Employee Benefits 00100	\$	1,233,127
Repairs and Alterations.....06400		13,150
Equipment.....07000		26,000
Current Expenses 13000		<u>244,195</u>
Total.....	\$	1,516,472

DEPARTMENT OF ENVIRONMENTAL PROTECTION*231 - Solid Waste Management Board*

(W.V. Code Chapter 22C)

Fund 3288 FY 2026 Org 0312

Personal Services and Employee Benefits....00100	\$	922,334
Repairs and Alterations.....06400		1,000
Equipment.....07000		5,000
Current Expenses.....13000		2,059,457
Other Assets.....69000		<u>4,403</u>
Total.....	\$	2,992,194

*232 - Division of Environmental Protection –**Hazardous Waste Management Fund*

(W.V. Code Chapter 22)

Fund 3023 FY 2026 Org 0313

Personal Services and Employee Benefits....00100	\$	831,098
Repairs and Alterations.....06400		500
Equipment.....07000		1,505
Unclassified.....09900		8,072
Current Expenses.....13000		155,969
Other Assets.....69000		<u>2,000</u>
Total.....	\$	999,144

*233 - Division of Environmental Protection –**Air Pollution Education and Environment Fund*

(W.V. Code Chapter 22)

Fund 3024 FY 2026 Org 0313

Personal Services and Employee Benefits....00100	\$	590,995
Repairs and Alterations.....06400		13,000
Equipment.....07000		53,105

Unclassified.....	09900	12,919
Current Expenses	13000	612,291
Other Assets	69000	<u>20,000</u>
Total.....		\$ 1,302,310

234 - Division of Environmental Protection –

Special Reclamation Fund

(W.V. Code Chapter 22)

Fund 3321 FY 2026 Org 0313

Personal Services and Employee Benefits....	00100	\$ 1,778,866
Repairs and Alterations	06400	79,950
Equipment	07000	130,192
Current Expenses	13000	16,185,006
Other Assets	69000	<u>32,000</u>
Total.....		\$ 18,206,014

235 - Division of Environmental Protection –

Oil and Gas Reclamation Fund

(W.V. Code Chapter 22)

Fund 3322 FY 2026 Org 0313

Personal Services and Employee Benefits....	00100	\$ 562,296
Current Expenses	13000	<u>956,094</u>
Total.....		\$ 1,518,390

236 - Division of Environmental Protection –

Oil and Gas Operating Permit and Processing Fund

(W.V. Code Chapter 22)

Fund 3323 FY 2026 Org 0313

Personal Services and Employee Benefits....	00100	\$ 3,080,953
Repairs and Alterations	06400	9,500
Equipment	07000	230,500

Unclassified.....	09900	30,700
Current Expenses	13000	937,300
Other Assets	69000	<u>500</u>
Total.....		\$ 4,289,453

237 - Division of Environmental Protection –

Mining and Reclamation Operations Fund

(W.V. Code Chapter 22)

Fund 3324 FY 2026 Org 0313

Personal Services and Employee Benefits....	00100	\$ 2,774,699
Repairs and Alterations.....	06400	60,260
Equipment	07000	83,000
Unclassified.....	09900	920
Current Expenses	13000	1,479,231
Other Assets	69000	<u>57,500</u>
Total.....		\$ 4,455,610

238 - Division of Environmental Protection –

Underground Storage Tank

Administrative Fund

(W.V. Code Chapter 22)

Fund 3325 FY 2026 Org 0313

Personal Services and Employee Benefits....	00100	\$ 503,574
Repairs and Alterations.....	06400	5,350
Equipment	07000	3,610
Unclassified.....	09900	7,520
Current Expenses	13000	318,420
Other Assets	69000	<u>3,500</u>
Total.....		\$ 841,974

239 - Division of Environmental Protection –

Hazardous Waste Emergency Response Fund

(W.V. Code Chapter 22)

Fund 3331 FY 2026 Org 0313

Personal Services and Employee Benefits 00100	\$	354,585
Repairs and Alterations.....06400		7,014
Equipment.....07000		9,000
Unclassified.....09900		10,616
Current Expenses 13000		767,905
Other Assets.....69000		<u>3,500</u>
Total.....	\$	1,152,620

*240 - Division of Environmental Protection –**Solid Waste Reclamation and**Environmental Response Fund*

(W.V. Code Chapter 22)

Fund 3332 FY 2026 Org 0313

Personal Services and Employee Benefits 00100	\$	904,165
Repairs and Alterations.....06400		25,000
Equipment.....07000		106,500
Unclassified.....09900		22,900
Current Expenses 13000		3,929,737
Buildings.....25800		500
Other Assets.....69000		<u>1,000</u>
Total.....	\$	4,989,802

*241 - Division of Environmental Protection –**Solid Waste Enforcement Fund*

(W.V. Code Chapter 22)

Fund 3333 FY 2026 Org 0313

Personal Services and Employee Benefits 00100	\$	3,572,719
Repairs and Alterations.....06400		30,930
Equipment.....07000		23,356

Unclassified.....	09900	28,460
Current Expenses	13000	932,229
Other Assets	69000	20,554
Total.....		\$ 4,608,248

242 - Division of Environmental Protection –

Air Pollution Control Fund

(W.V. Code Chapter 22)

Fund 3336 FY 2026 Org 0313

Personal Services and Employee Benefits....	00100	\$ 6,252,446
Repairs and Alterations.....	06400	84,045
Equipment.....	07000	103,601
Unclassified.....	09900	70,572
Current Expenses	13000	1,669,467
Other Assets.....	69000	52,951
Total.....		\$ 8,233,082

243 - Division of Environmental Protection –

Environmental Laboratory

Certification Fund

(W.V. Code Chapter 22)

Fund 3340 FY 2026 Org 0313

Personal Services and Employee Benefits....	00100	\$ 389,614
Repairs and Alterations.....	06400	1,000
Unclassified.....	09900	1,120
Current Expenses	13000	201,146
Other Assets.....	69000	163,000
Total.....		\$ 755,880

244 - Division of Environmental Protection –

Stream Restoration Fund

(W.V. Code Chapter 22)

Fund 3349 FY 2026 Org 0313

Current Expenses 13000 \$ 3,682,076

*245 - Division of Environmental Protection –**Litter Control Fund*

(W.V. Code Chapter 22)

Fund 3486 FY 2026 Org 0313

Current Expenses 13000 \$ 60,000

*246 - Division of Environmental Protection –**Recycling Assistance Fund*

(W.V. Code Chapter 22)

Fund 3487 FY 2026 Org 0313

Personal Services and Employee Benefits 00100	\$	717,788
Repairs and Alterations 06400		800
Equipment 07000		500
Unclassified 09900		400
Current Expenses 13000		2,754,258
Other Assets 69000		<u>2,500</u>
Total	\$	3,476,246

*247 - Division of Environmental Protection –**Mountaintop Removal Fund*

(W.V. Code Chapter 22)

Fund 3490 FY 2026 Org 0313

Personal Services and Employee Benefits 00100	\$	858,694
Repairs and Alterations 06400		27,612
Equipment 07000		23,500

Unclassified.....	09900	1,180
Current Expenses	13000	390,907
Other Assets	69000	<u>11,520</u>
Total.....		\$ 1,313,413

248 - Oil and Gas Conservation Commission –

Special Oil and Gas Conservation Fund

(W.V. Code Chapter 22C)

Fund 3371 FY 2026 Org 0315

Personal Services and Employee Benefits....	00100	\$ 171,356
Repairs and Alterations	06400	1,000
Equipment	07000	9,481
Current Expenses	13000	161,225
Other Assets	69000	<u>1,500</u>
Total.....		\$ 344,562

DEPARTMENT OF HEALTH

249 - Department of Health –

Emergency Medical Service Workers

Salary Enhancement Fund

(W.V. Code Chapter 16)

Fund 5049 FY 2026 Org 0506

Current Expenses	13000	\$ 8,000,000
Crisis Training	xxxxx	<u>2,000,000</u>
Total.....		\$ 10,000,000

250 - Department of Health –

The Vital Statistics Account

(W.V. Code Chapter 16)

Fund 5144 FY 2026 Org 0506

Personal Services and Employee Benefits 00100	\$ 1,198,160
Unclassified.....09900	15,500
Current Expenses 13000	<u>3,557,788</u>
Total.....	\$ 4,771,448

251 - Department of Health –

Laboratory Services Fund

(W.V. Code Chapter 16)

Fund 5163 FY 2026 Org 0506

Personal Services and Employee Benefits 00100	\$ 1,083,838
Unclassified.....09900	18,114
Current Expenses 13000	<u>2,209,105</u>
Total.....	\$ 3,311,057

252 - Department of Health –

Hepatitis B Vaccine

(W.V. Code Chapter 16)

Fund 5183 FY 2026 Org 0506

Current Expenses 13000	\$ 9,740

253 - Department of Health –

Lead Abatement Account

(W.V. Code Chapter 16)

Fund 5204 FY 2026 Org 0506

Personal Services and Employee Benefits 00100	\$ 19,100
Unclassified.....09900	373
Current Expenses 13000	<u>17,875</u>
Total.....	\$ 37,348

254 - Department of Health –

West Virginia Birth-to-Three Fund

(W.V. Code Chapter 16)

Fund 5214 FY 2026 Org 0506

Personal Services and Employee Benefits 00100	\$	769,278
Unclassified.....09900		223,999
Current Expenses 13000		<u>44,881,617</u>
Total.....	\$	45,874,894

*255 - Department of Health –**Tobacco Control Special Fund*

(W.V. Code Chapter 16)

Fund 5218 FY 2026 Org 0506

Current Expenses 13000	\$	7,579

*256 - Department of Health –**Medical Cannabis Program Fund*

(W.V. Code Chapter 16A)

Fund 5420 FY 2026 Org 0506

Personal Services and Employee Benefits 00100	\$	509,658
Current Expenses 13000		<u>2,046,040</u>
Total.....	\$	2,555,698

*257 - West Virginia Health Care Authority –**Health Care Cost Review Fund*

(W.V. Code Chapter 16)

Fund 5375 FY 2026 Org 0507

Personal Services and Employee Benefits 00100	\$	200,000
Unclassified.....09900		7,500
Current Expenses 13000		<u>542,586</u>
Total.....	\$	750,086

The above appropriation is to be expended in accordance with and pursuant to the provisions of W.V. Code §16-29B and from the special revolving fund designated Health Care Cost Review Fund.

258 - West Virginia Health Care Authority –

Certificate of Need Program Fund

(W.V. Code Chapter 16)

Fund 5377 FY 2026 Org 0507

Personal Services and Employee Benefits 00100	\$	555,842
Unclassified.....09900		9,481
Current Expenses 13000		<u>382,786</u>
Total.....	\$	948,109

259 - Office of the Inspector General –

The Health Facility Licensing Account

(W.V. Code Chapter 16)

Fund 5172 FY 2026 Org 0513

Personal Services and Employee Benefits 00100	\$	712,839
Repairs and Alterations.....06400		100
Equipment.....07000		100
Unclassified.....09900		7,113
Current Expenses 13000		97,947
Other Assets.....69000		<u>100</u>
Total.....	\$	818,199

DEPARTMENT OF HUMAN SERVICES

260 - Department of Human Services –

Health Care Provider Tax –

Medicaid State Share Fund

(W.V. Code Chapter 11)

Fund 5090 FY 2026 Org 0511

Medical Services	18900	\$ 493,594,315
Medical Services Administrative Costs	78900	<u>268,451</u>
Total		\$ 493,862,766

The above appropriation for Medical Services Administrative Costs (fund 5090, appropriation 78900) shall be transferred to a special revenue account in the treasury for use by the Department of Human Services for administrative purposes. The remainder of all moneys deposited in the fund shall be transferred to the Medical Services Program Fund (fund 5084).

*261 - Department of Human Services –**Child Support Enforcement Fund*

(W.V. Code Chapter 48A)

Fund 5094 FY 2026 Org 0511

Personal Services and Employee Benefits	00100	\$ 27,809,509
Unclassified	09900	380,000
Current Expenses	13000	<u>12,810,491</u>
Total		\$ 41,000,000

*262 - Department of Human Services –**Ryan Brown Addiction Prevention and Recovery Fund*

(W.V. Code Chapter 19)

Fund 5111 FY 2026 Org 0511

Current Expenses	13000	\$ 10,667,392

*263 - Department of Human Services –**Medical Services Trust Fund*

(W.V. Code Chapter 9)

Fund 5185 FY 2026 Org 0511

Medical Services	18900	\$ 67,000,000
Medical Services Administrative Costs	78900	<u>738,149</u>
Total.....		\$ 67,738,149

The above appropriation to Medical Services shall be used to provide state match of Medicaid expenditures as defined and authorized in subsection (c) of W.V. Code §9-4A-2a. Expenditures from the fund are limited to the following: payment of backlogged billings, funding for services to future federally mandated population groups and payment of the required state match for Medicaid disproportionate share payments. The remainder of all moneys deposited in the fund shall be transferred to the Department of Human Services accounts.

264 - Department of Human Services –

James "Tiger" Morton Catastrophic Illness Fund

(W.V. Code Chapter 16)

Fund 5454 FY 2026 Org 0511

Personal Services and Employee Benefits	00100	\$ 136,984
Unclassified.....	09900	4,000
Current Expenses	13000	<u>396,000</u>
Total.....		\$ 536,984

265 - Department of Human Services –

Domestic Violence Legal Services Fund

(W.V. Code Chapter 48)

Fund 5455 FY 2026 Org 0511

Current Expenses	13000	\$ 900,000

266 - Department of Human Services –

West Virginia Works Separate

State College Program Fund

(W.V. Code Chapter 9)

Fund 5467 FY 2026 Org 0511

Current Expenses 13000 \$ 500,000

*267 - Department of Human Services –**West Virginia Works Separate State Two-Parent Program Fund*

(W.V. Code Chapter 9)

Fund 5468 FY 2026 Org 0511

Current Expenses 13000 \$ 1,500,000

*268 - Department of Human Services –**Marriage Education Fund*

(W.V. Code Chapter 9)

Fund 5490 FY 2026 Org 0511

Personal Services and Employee Benefits 00100 \$ 10,000

Current Expenses 13000 25,000

Total \$ 35,000

DEPARTMENT OF HEALTH FACILITIES*269 - Department of Health Facilities –**Hospital Services Revenue Account**Special Fund**Capital Improvement, Renovation and Operations*

(W.V. Code Chapter 16)

Fund 5156 FY 2026 Org 0512

Institutional Facilities Operations 33500 \$ 59,195,646

Medical Services Trust Fund – Transfer 51200 27,800,000

Total..... \$ 86,995,646

The total amount of these appropriations shall be paid from the Hospital Services Revenue Account Special Fund created by W.V. Code §16-1-13, and shall be used for operating expenses and for improvements in connection with existing facilities.

Additional funds have been appropriated from General Revenue for the operation of the institutional facilities.

Necessary funds from the above appropriation for Institutional Facilities Operations may be used for medical facilities operations, either in connection with this fund or in connection with the appropriations designated for Hopemont Hospital, Lakin Hospital, John Manchin Senior Health Care Center, Jackie Withrow Hospital, Welch Community Hospital, William R. Sharpe Jr. Hospital, Mildred Mitchell-Bateman Hospital, and William R. Sharpe Jr. Hospital – Transitional Living Facility.

DEPARTMENT OF HOMELAND SECURITY

270 - Department of Homeland Security –

Office of the Secretary –

Law-Enforcement, Safety and Emergency Worker

Funeral Expense Payment Fund

(W.V. Code Chapter 15)

Fund 6003 FY 2026 Org 0601

Current Expenses 13000 \$ 32,000

271 - Division of Emergency Management –

Statewide Interoperable Radio Network Account

(W.V. Code Chapter 15)

Fund 6208 FY 2026 Org 0606

Current Expenses 13000 \$ 80,000

272 - Division of Emergency Management –

West Virginia Interoperable Radio Project

(W.V. Code Chapter 24)

Fund 6295 FY 2026 Org 0606

Repairs and Alterations.....	06400	\$ 950,000
Equipment.....	07000	550,000
Unclassified.....	09900	20,000
Current Expenses	13000	<u>3,980,000</u>
Total.....		\$ 5,500,000

273 - Division of Corrections and Rehabilitation –

Parolee Supervision Fees

(W.V. Code Chapter 15A)

Fund 6362 FY 2026 Org 0608

Personal Services and Employee Benefits....	00100	\$ 1,247,729
Equipment.....	07000	30,000
Unclassified.....	09900	9,804
Current Expenses	13000	758,480
Other Assets.....	69000	<u>40,129</u>
Total.....		\$ 2,086,142

274 - Division of Corrections and Rehabilitation –

Regional Jail and Correctional Facility Authority

(W.V. Code Chapter 15A)

Fund 6675 FY 2026 Org 0608

Debt Service.....	04000	100,000
Repairs and Alterations.....	06400	1,000,000
Equipment.....	07000	100,000
Unclassified.....	09900	100,000

Current Expenses	13000	245,472
Buildings	25800	<u>15,000,000</u>
Total.....		\$ 16,545,472

275 - West Virginia State Police –

Motor Vehicle Inspection Fund

(W.V. Code Chapter 17C)

Fund 6501 FY 2026 Org 0612

Personal Services and Employee Benefits 00100	\$ 2,092,049
Repairs and Alterations.....06400	204,500
Equipment.....07000	3,770,751
Current Expenses	13000 1,488,211
Buildings	25800 534,000
Other Assets.....69000	<u>5,000</u>
Total.....	\$ 8,094,511

The total amount of these appropriations shall be paid from the special revenue fund out of fees collected for inspection stickers as provided by law.

276 - West Virginia State Police –

Forensic Laboratory Fund

(W.V. Code Chapter 15)

Fund 6511 FY 2026 Org 0612

Personal Services and Employee Benefits 00100	\$ 1,637,078
Repairs and Alterations.....06400	5,000
Equipment.....07000	545,000
Current Expenses	13000 <u>90,000</u>
Total.....	\$ 2,277,078

277 - West Virginia State Police –

Drunk Driving Prevention Fund

(W.V. Code Chapter 15)

Fund 6513 FY 2026 Org 0612

Current Expenses	13000	\$	2,827,000

The total amount of this appropriations shall be paid from the special revenue fund out of receipts collected pursuant to W.V. Code §11-15-9a and 16 and paid into a revolving fund account in the State Treasury.

*278 - West Virginia State Police –**Surplus Real Property Proceeds Fund*

(W.V. Code Chapter 15)

Fund 6516 FY 2026 Org 0612

Buildings	25800	\$	1,022,778
Land	73000		<u>1,000</u>
Total.....		\$	1,023,778

*279 - West Virginia State Police –**Surplus Transfer Account*

(W.V. Code Chapter 15)

Fund 6519 FY 2026 Org 0612

Repairs and Alterations.....	06400	\$	20,000
Equipment	07000		250,000
Current Expenses	13000		225,000
Buildings	25800		40,000
Other Assets.....	69000		<u>45,000</u>
Total.....		\$	580,000

*280 - West Virginia State Police –**Central Abuse Registry Fund*

(W.V. Code Chapter 15)

Fund 6527 FY 2026 Org 0612

Personal Services and Employee Benefits....00100	\$	289,971
Repairs and Alterations.....06400		500
Equipment.....07000		300,500
Current Expenses 13000		376,443
Other Assets.....69000		300,500
Total.....	\$	1,267,914

*281 - West Virginia State Police –**Bail Bond Enforcer Account*

(W.V. Code Chapter 15)

Fund 6532 FY 2026 Org 0612

Current Expenses 13000	\$	8,300

*282 - West Virginia State Police –**State Police Academy Post Exchange*

(W.V. Code Chapter 15)

Fund 6544 FY 2026 Org 0612

Repairs and Alterations.....06400	\$	40,000
Current Expenses 13000		160,000
Total.....	\$	200,000

*283 - Fire Commission –**Fire Marshal Fees*

(W.V. Code Chapter 15A)

Fund 6152 FY 2026 Org 0619

Personal Services and Employee Benefits....00100	\$	4,093,612
Repairs and Alterations.....06400		58,500
Equipment.....07000		440,800
Unclassified.....09900		3,800

Current Expenses	13000	1,746,550
Other Assets	69000	450,000
BRIM Premium.....	91300	<u>65,000</u>
Total.....		\$ 6,858,262

284 - Division of Administrative Services –

W.V. Community Corrections Fund

(W.V. Code Chapter 62)

Fund 6386 FY 2026 Org 0623

Personal Services and Employee Benefits 00100	\$	176,985
Repairs and Alterations.....06400		1,000
Unclassified.....09900		750
Current Expenses	13000	<u>1,846,250</u>
Total.....	\$	2,024,985

285 - Division of Administrative Services –

Court Security Fund

(W.V. Code Chapter 51)

Fund 6804 FY 2026 Org 0623

Personal Services and Employee Benefits 00100	\$	26,462
Current Expenses	13000	<u>1,478,135</u>
Total.....	\$	1,504,597

286 - Division of Administrative Services –

Second Chance Driver's License Program Account

(W.V. Code Chapter 17B)

Fund 6810 FY 2026 Org 0623

Current Expenses	13000	\$ 125,000

DEPARTMENT OF REVENUE*287 - Division of Financial Institutions*

(W.V. Code Chapter 31A)

Fund 3041 FY 2026 Org 0303

Personal Services and Employee Benefits....00100	\$	2,965,127
Salary and Benefits of Cabinet Secretary and Agency Heads		00201 119,000
Equipment		07000 8,500
Current Expenses		13000 720,475
Total.....	\$	3,813,102

*288 - Office of the Secretary –**State Debt Reduction Fund*

(W.V. Code Chapter 29)

Fund 7007 FY 2026 Org 0701

Retirement Systems – Unfunded Liability....77500 \$ 20,000,000

The above appropriation for Retirement Systems – Unfunded Liability (fund 7007, appropriation 77500) shall be transferred to the School Aid Formula Funds Holding Account Fund (fund 2606).

289 - Home Rule Board Operations

(W.V. Code Chapter 8)

Fund 7010 FY 2026 Org 0701

Personal Services and Employee Benefits....00100	\$	25,000
Repairs and Alterations		06400 120
Equipment		07000 200
Unclassified.....		09900 680
Current Expenses		13000 42,000
Total.....	\$	68,000

*290 - Tax Division –**Reduced Cigarette Ignition Propensity**Standard and Fire Prevention Act Fund*

(W.V. Code Chapter 47)

Fund 7092 FY 2026 Org 0702

Equipment.....	07000	\$	15,000
Current Expenses	13000		<u>35,000</u>
Total.....		\$	50,000

*291 - State Budget Office –**Public Employees Insurance Reserve Fund*

(W.V. Code Chapter 11B)

Fund 7400 FY 2026 Org 0703

Public Employees Insurance Reserve

Fund – Transfer.....90300 \$ 6,800,000

The above appropriation for Public Employees Insurance Reserve Fund – Transfer shall be transferred to the Medical Services Trust Fund (fund 5185).

*292 - Insurance Commissioner –**Examination Revolving Fund*

(W.V. Code Chapter 33)

Fund 7150 FY 2026 Org 0704

Repairs and Alterations.....	06400	\$	3,000
Equipment.....	07000		81,374
Current Expenses	13000		2,139,305
Buildings	25800		8,289
Other Assets.....	69000		<u>11,426</u>
Total.....		\$	2,243,394

293 - Insurance Commissioner –*Consumer Advocate*

(W.V. Code Chapter 33)

Fund 7151 FY 2026 Org 0704

Personal Services and Employee Benefits 00100	\$	602,587
Repairs and Alterations 06400		5,000
Equipment 07000		34,225
Current Expenses 13000		202,152
Buildings 25800		4,865
Other Assets 69000		<u>19,460</u>
Total	\$	868,289

294 - Insurance Commissioner –*Insurance Commission Fund*

(W.V. Code Chapter 33)

Fund 7152 FY 2026 Org 0704

Personal Services and Employee Benefits 00100	\$	20,619,440
Salary and Benefits of Cabinet Secretary and Agency Heads 00201		136,500
Repairs and Alterations 06400		68,614
Equipment 07000		2,688
Current Expenses 13000		9,097,758
Buildings 25800		25,000
Other Assets 69000		<u>50,000</u>
Total	\$	30,000,000

295 - Insurance Commissioner –*Insurance Fraud Prevention Fund*

(W.V. Code Chapter 33)

Fund 7153 FY 2026 Org 0704

Current Expenses 13000 \$ 15,000

296 - Insurance Commissioner –

Workers' Compensation Old Fund

(W.V. Code Chapter 23)

Fund 7162 FY 2026 Org 0704

Employee Benefits	01000	\$	50,000
Current Expenses	13000		<u>250,500,000</u>
Total.....		\$	250,550,000

297 - Insurance Commissioner –

Workers' Compensation Uninsured Employers' Fund

(W.V. Code Chapter 23)

Fund 7163 FY 2026 Org 0704

Current Expenses 13000 \$ 15,000,000

298 - Insurance Commissioner –

Self-Insured Employer Guaranty Risk Pool

(W.V. Code Chapter 23)

Fund 7164 FY 2026 Org 0704

Current Expenses 13000 \$ 9,000,000

299 - Insurance Commissioner –

Self-Insured Employer Security Risk Pool

(W.V. Code Chapter 23)

Fund 7165 FY 2026 Org 0704

Current Expenses 13000 \$ 14,000,000

300 - Municipal Bond Commission

(W.V. Code Chapter 13)

Fund 7253 FY 2026 Org 0706

Personal Services and Employee Benefits 00100	\$	383,671
Equipment 07000		100
Current Expenses 13000		<u>154,344</u>
Total.....	\$	538,115

*301 - Racing Commission –**Relief Fund*

(W.V. Code Chapter 19)

Fund 7300 FY 2026 Org 0707

Medical Expenses – Total.....24500	\$	154,000

The total amount of this appropriation shall be paid from the special revenue fund out of collections of license fees and fines as provided by law.

No expenditures shall be made from this fund except for hospitalization, medical care, and/or funeral expenses for persons contributing to this fund.

*302 - Racing Commission –**Administration and Promotion Account*

(W.V. Code Chapter 19)

Fund 7304 FY 2026 Org 0707

Personal Services and Employee Benefits 00100	\$	288,127
Current Expenses 13000		85,433
Other Assets 69000		<u>5,000</u>
Total.....	\$	378,560

303 - Racing Commission –*General Administration*

(W.V. Code Chapter 19)

Fund 7305 FY 2026 Org 0707

Personal Services and Employee Benefits 00100	\$	2,523,239
Salary and Benefits of Cabinet Secretary and Agency Heads 00201		59,533
Repairs and Alterations 06400		5,000
Current Expenses 13000		497,284
Other Assets 69000		40,000
Total.....	\$	3,125,056

304 - Racing Commission –*Administration, Promotion, Education, Capital Improvement**and Greyhound Adoption Programs**to include Spaying and Neutering Account*

(W.V. Code Chapter 19)

Fund 7307 FY 2026 Org 0707

Personal Services and Employee Benefits 00100	\$	937,171
Current Expenses 13000		160,099
Other Assets 69000		200,000
Total.....	\$	1,297,270

305 - Racing Commission –*Advance Deposit Wagering Account*

(W.V. Code Chapter 19)

Fund 7309 FY 2026 Org 0707

Current Expenses 13000	\$	250,000

*306 - Alcohol Beverage Control Administration –**Wine License Special Fund*

(W.V. Code Chapter 60)

Fund 7351 FY 2026 Org 0708

Personal Services and Employee Benefits 00100	\$	156,111
Repairs and Alterations 06400		7,263
Equipment 07000		10,000
Current Expenses 13000		260,436
Buildings 25800		100,000
Transfer Liquor Profits and Taxes 42500		30,750
Other Assets 69000		<u>2,000,100</u>
Total.....	\$	2,564,660

To the extent permitted by law, four classified exempt positions shall be provided from Personal Services and Employee Benefits appropriation for field auditors.

307 - Alcohol Beverage Control Administration

(W.V. Code Chapter 60)

Fund 7352 FY 2026 Org 0708

Personal Services and Employee Benefits 00100	\$	6,239,729
Salary and Benefits of Cabinet Secretary and Agency Heads 00201		122,500
Repairs and Alterations 06400		91,000
Equipment 07000		108,000
Current Expenses 13000		2,890,577
Buildings 25800		375,100
Purchase of Supplies for Resale 41900		104,000,000
Transfer Liquor Profits and Taxes 42500		33,400,000
Other Assets 69000		125,100
Land 73000		<u>100</u>
Total.....	\$	147,352,106

The total amount of these appropriations shall be paid from a special revenue fund out of liquor revenues and any other revenues available.

The above appropriations include the salary of the Commissioner and the salaries, expenses, and equipment of administrative offices, warehouses, and inspectors.

The above appropriations include funding for the Tobacco/Alcohol Education Program.

There is hereby appropriated from liquor revenues, in addition to the above appropriations as needed, the necessary amount for the purchase of liquor as provided by law and the remittance of profits and taxes to the General Revenue Fund.

308 - State Athletic Commission Fund

(W.V. Code Chapter 29)

Fund 7009 FY 2026 Org 0933

Personal Services and Employee Benefits 00100	\$	29,500
Current Expenses 13000		<u>28,000</u>
Total.....	\$	57,500

DEPARTMENT OF TRANSPORTATION

309 - Division of Motor Vehicles –

Dealer Recovery Fund

(W.V. Code Chapter 17)

Fund 8220 FY 2026 Org 0802

Current Expenses 13000	\$	189,000

310 - Division of Motor Vehicles –

Motor Vehicle Fees Fund

(W.V. Code Chapter 17B)

Fund 8223 FY 2026 Org 0802

Personal Services and Employee Benefits....00100	\$	4,478,448
Repairs and Alterations.....06400		16,000
Equipment.....07000		75,000
Current Expenses 13000		4,337,712
Other Assets.....69000		10,000
BRIM Premium.....91300		<u>110,000</u>
Total.....	\$	9,027,160

*311 - Division of Highways –**A. James Manchin Fund*

(W.V. Code Chapter 22)

Fund 8319 FY 2026 Org 0803

Current Expenses 13000	\$	2,900,000

*312 - WV Division of Multimodal Transportation Facilities –**State Rail Authority –**West Virginia Commuter Rail Access Fund*

(W.V. Code Chapter 29)

Fund 8402 FY 2026 Org 0810

Current Expenses 13000	\$	600,000

DEPARTMENT OF VETERANS' ASSISTANCE*313 - Veterans' Facilities Support Fund*

(W.V. Code Chapter 9A)

Fund 6703 FY 2026 Org 0613

Personal Services and Employee Benefits....01000	\$	99,135
Current Expenses 13000		1,654,234
Other Assets.....69000		<u>10,000</u>

Total..... \$ 1,763,369

314 - Department of Veterans' Assistance –

W.V. Veterans' Home –

Special Revenue Operating Fund

(W.V. Code Chapter 9A)

Fund 6754 FY 2026 Org 0618

Repairs and Alterations.....	06400	\$	10,600
Current Expenses	13000	\$	<u>321,050</u>
Total.....		\$	331,650

BUREAU OF SENIOR SERVICES

315 - Bureau of Senior Services –

Community Based Service Fund

(W.V. Code Chapter 29)

Fund 5409 FY 2026 Org 0508

Personal Services and Employee Benefits....	00100	\$	160,628
Salary and Benefits of Cabinet Secretary and Agency Heads	00201		33,547
Current Expenses	13000		<u>10,599,338</u>
Total.....		\$	10,793,513

The total amount of these appropriations are funded from annual table game license fees to enable the aged and disabled citizens of West Virginia to stay in their homes through the provision of home and community-based services.

HIGHER EDUCATION POLICY COMMISSION

316 - Higher Education Policy Commission –

System –

Tuition Fee Capital Improvement Fund
(Capital Improvement and Bond Retirement Fund)

Control Account

(W.V. Code Chapters 18 and 18B)

Fund 4903 FY 2026 Org 0442

Debt Service.....	04000	\$ 27,411,984
General Capital Expenditures	30600	5,000,000
Facilities Planning and Administration.....	38600	<u>479,369</u>
Total.....		\$ 32,891,353

The total amount of these appropriations shall be paid from the Special Capital Improvement Fund created in W.V. Code §18B-10-8. Projects are to be paid on a cash basis and made available on July 1.

The above appropriations, except for Debt Service, may be transferred to special revenue funds for capital improvement projects at the institutions.

317 - Tuition Fee Revenue Bond Construction Fund

(W.V. Code Chapters 18 and 18B)

Fund 4906 FY 2026 Org 0442

Any unexpended balance remaining in the appropriation for Capital Outlay (fund 4906, appropriation 51100) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

The appropriation shall be paid from available unexpended cash balances and interest earnings accruing to the fund. The appropriation shall be expended at the discretion of the Higher Education Policy Commission and the funds may be allocated to any institution within the system.

The total amount of this appropriation shall be paid from the unexpended proceeds of revenue bonds previously issued pursuant to W.V. Code §18-12B-8, which have since been refunded.

318 - Higher Education Policy Commission –

Military College Advisory Council Fund

(W.V. Code Chapter 18B)

Fund XXXX FY 2026 Org 0442

Personal Services and Employee Benefits 00100	\$	123,500
Current Expenses 13000		<u>170,000</u>
Total.....	\$	293,500

319 - West Virginia University –

West Virginia University Health Sciences Center

(W.V. Code Chapters 18 and 18B)

Fund 4179 FY 2026 Org 0463

Personal Services and Employee Benefits 00100	\$	11,795,211
Repairs and Alterations 06400		425,000
Equipment 07000		512,000
Current Expenses 13000		4,524,300
Buildings 25800		150,000
Other Assets 69000		<u>50,000</u>
Total.....	\$	17,456,511

320 - Marshall University –

School of Medicine

(W.V. Code Chapter 18B)

Fund 4271 FY 2026 Org 0471

Marshall Medical School	17300	\$	5,500,000

321 - West Virginia School of Osteopathic Medicine

(W.V. Code Chapter 18B)

Fund 4272 FY 2026 Org 0476

West Virginia School of

Osteopathic Medicine 17200 \$ 4,115,931

MISCELLANEOUS BOARDS AND COMMISSIONS*322 - Board of Barbers and Cosmetologists –**Barbers and Beauticians Special Fund*

(W.V. Code Chapters 16 and 30)

Fund 5425 FY 2026 Org 0505

Personal Services and Employee Benefits 00100	\$	607,945
Repairs and Alterations 06400		5,000
Current Expenses 13000		<u>234,969</u>
Total	\$	847,914

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Board of Barbers and Cosmetologists as provided by law.

*323 - Hospital Finance Authority –**Hospital Finance Authority Fund*

(W.V. Code Chapter 16)

Fund 5475 FY 2026 Org 0509

Personal Services and Employee Benefits ...00100	\$	10,000
Salary and Benefits of Cabinet Secretary and Agency Heads 00201		93,339
Unclassified.....09900		1,501
Current Expenses 13000		<u>55,268</u>
Total	\$	160,108

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by Article 29A, Chapter 16 of the W.V. Code.

324 - State Armory Board –

General Armory Fund

(W.V. Code Chapter 15)

Fund 6057 FY 2026 Org 0603

Personal Services and Employee Benefits 00100	\$ 1,690,382
Repairs and Alterations.....06400	385,652
Equipment.....07000	250,000
Current Expenses 13000	650,000
Buildings 25800	520,820
Other Assets.....69000	350,000
Land 73000	<u>200,000</u>
Total.....	\$ 4,046,854

From the above appropriations, the Adjutant General may receive and expend funds to conduct operations and activities to include functions of the Military Authority. The Adjutant General may transfer funds between appropriations, except no funds may be transferred to Personal Services and Employee Benefits (fund 6057, appropriation 00100).

325 - W.V. State Board of Examiners for Licensed Practical Nurses –

Licensed Practical Nurses

(W.V. Code Chapter 30)

Fund 8517 FY 2026 Org 0906

Personal Services and Employee Benefits 00100	\$ 1,002,286
Current Expenses 13000	<u>253,007</u>
Total.....	\$ 1,255,293

326 - *W.V. Board of Examiners for Registered Professional Nurses –*

Registered Professional Nurses

(W.V. Code Chapter 30)

Fund 8520 FY 2026 Org 0907

Personal Services and Employee Benefits....00100	\$ 1,502,835
Repairs and Alterations.....06400	3,000
Equipment.....07000	30,000
Current Expenses 13000	451,155
Other Assets.....69000	<u>4,500</u>
Total.....	\$ 1,991,490

327 - *Public Service Commission*

(W.V. Code Chapter 24)

Fund 8623 FY 2026 Org 0926

Personal Services and Employee Benefits....00100	\$ 14,410,245
Salary and Benefits of Cabinet Secretary and Agency Heads 00201	318,640
Repairs and Alterations.....06400	120,000
Equipment.....07000	160,000
Unclassified.....09900	147,643
Current Expenses 13000	2,507,202
Buildings.....25800	10
PSC Weight Enforcement.....34500	5,199,295
Land 73000	10
BRIM Premium.....91300	<u>172,216</u>
Total.....	\$ 23,035,261

The total amount of these appropriations shall be paid from a special revenue fund out of collections for special license fees from public service corporations as provided by law.

The Public Service Commission is authorized to transfer up to \$500,000 from this fund to meet the expected deficiencies in the Motor Carrier Division (fund 8625) due to the amendment and

reenactment of W.V. Code §24A-3-1 by Enrolled House Bill Number 2715, Regular Session, 1997.

328 - Public Service Commission –

Gas Pipeline Division –

Public Service Commission Pipeline Safety Fund

(W.V. Code Chapter 24B)

Fund 8624 FY 2026 Org 0926

Personal Services and Employee Benefits....00100	\$	394,133
Salary and Benefits of Cabinet Secretary and Agency Heads 00201		11,949
Repairs and Alterations.....06400		4,000
Unclassified.....09900		3,851
Current Expenses 13000		<u>93,115</u>
Total.....	\$	507,048

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public Service Commission pursuant to and in the exercise of regulatory authority over pipeline companies as provided by law.

329 - Public Service Commission –

Motor Carrier Division

(W.V. Code Chapter 24A)

Fund 8625 FY 2026 Org 0926

Personal Services and Employee Benefits....00100	\$	2,536,213
Salary and Benefits of Cabinet Secretary and Agency Heads 00201		67,711
Repairs and Alterations.....06400		23,000
Equipment.....07000		50,000
Unclassified.....09900		29,233
Current Expenses 13000		<u>577,557</u>
Total.....	\$	3,283,714

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public Service Commission pursuant to and in the exercise of regulatory authority over motor carriers as provided by law.

330 - Public Service Commission –

Consumer Advocate Fund

(W.V. Code Chapter 24)

Fund 8627 FY 2026 Org 0926

Personal Services and Employee Benefits....00100	\$ 1,212,911
Equipment.....07000	9,872
Current Expenses 13000	536,472
BRIM Premium.....91300	<u>4,660</u>
Total.....	\$ 1,763,915

The total amount of these appropriations shall be supported by cash from a special revenue fund out of collections made by the Public Service Commission.

331 - Real Estate Commission –

Real Estate License Fund

(W.V. Code Chapter 30)

Fund 8635 FY 2026 Org 0927

Personal Services and Employee Benefits....00100	\$ 665,295
Repairs and Alterations.....06400	2,500
Equipment.....07000	5,000
Current Expenses 13000	<u>293,122</u>
Total.....	\$ 965,917

The total amount of these appropriations shall be paid out of collections of license fees as provided by law.

332 - *W.V. Board of Examiners for Speech-Language*

Pathology and Audiology –

Speech-Language Pathology and Audiology Operating Fund

(W.V. Code Chapter 30)

Fund 8646 FY 2026 Org 0930

Personal Services and Employee Benefits 00100	\$	129,595
Current Expenses 13000		<u>63,637</u>
Total.....	\$	193,232

333 - *W.V. Board of Respiratory Care –*

Board of Respiratory Care Fund

(W.V. Code Chapter 30)

Fund 8676 FY 2026 Org 0935

Personal Services and Employee Benefits 00100	\$	125,073
Current Expenses 13000		73,143
Total.....	\$	198,216

334 - *W.V. Board of Licensed Dietitians –*

Dietitians Licensure Board Fund

(W.V. Code Chapter 30)

Fund 8680 FY 2026 Org 0936

Personal Services and Employee Benefits 00100	\$	45,219
Current Expenses 13000		<u>20,250</u>
Total.....	\$	65,469

335 - *Massage Therapy Licensure Board –*

Massage Therapist Board Fund

(W.V. Code Chapter 30)

Fund 8671 FY 2026 Org 0938

Personal Services and Employee Benefits 00100	\$	122,310
Current Expenses 13000		<u>47,388</u>
Total.....	\$	169,698

*336 - Board of Medicine –**Medical Licensing Board Fund*

(W.V. Code Chapter 30)

Fund 9070 FY 2026 Org 0945

Personal Services and Employee Benefits 00100	\$	1,687,578
Repairs and Alterations 06400		8,000
Current Expenses 13000		<u>1,339,814</u>
Total.....	\$	3,035,392

*337 - West Virginia Enterprise Resource Planning Board –**Enterprise Resource Planning System Fund*

(W.V. Code Chapter 12)

Fund 9080 FY 2026 Org 0947

Personal Services and Employee Benefits 00100	\$	5,690,654
Repairs and Alterations 06400		300
Equipment 07000		502,000
Unclassified 09900		132,000
Current Expenses 13000		19,214,993
Buildings 25800		2,000
Other Assets 69000		<u>2,004,500</u>
Total.....	\$	27,546,447

*338 - Board of Treasury Investments –**Board of Treasury Investments Fee Fund*

(W.V. Code Chapter 12)

Fund 9152 FY 2026 Org 0950

Personal Services and Employee Benefits 00100	\$	982,714
Unclassified.....09900		14,850
Current Expenses 13000		580,889
BRIM Premium.....91300		31,547
Fees of Custodians, Fund Advisors and Fund Managers.....93800		<u>5,500,000</u>
Total.....	\$	<u>7,110,000</u>

There is hereby appropriated from this fund, in addition to the above appropriation if needed, an amount of funds necessary for the Board of Treasury Investments to pay the fees and expenses of custodians, fund advisors, and fund managers for the consolidated fund of the State as provided in Article 6C, Chapter 12 of the W.V. Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

339 - Contractor Licensing Board Fund

(W.V. Code Chapter 21)

Fund 3187 FY 2026 Org 0951

Personal Services and Employee Benefits 00100	\$	2,559,000
Repairs and Alterations.....06400		10,000
Unclassified.....09900		21,000
Current Expenses 13000		500,000
BRIM Premium.....91300		<u>8,500</u>
Total.....	\$	<u>3,098,500</u>

Total TITLE II, Section 3 – Other Funds

(Including claims against the state) \$2,315,143,753

Sec. 4. Appropriations from lottery net profits.—Net profits of the lottery are to be deposited by the Director of the Lottery to the following accounts in the amounts indicated. The Director of the Lottery shall prorate each deposit of net profits in the proportion the appropriation for each account bears to the total of the appropriations for all accounts.

After first satisfying the requirements for Fund 2252, Fund 3963, and Fund 4908 pursuant to W.V. Code §29-22-18, the Director of the Lottery shall make available from the remaining net profits of the lottery any amounts needed to pay debt service for which an appropriation is made for Fund 9065, Fund 4297, Fund 3390, Fund 3514, Fund 9067, and Fund 9068 and is authorized to transfer any such amounts to Fund 9065, Fund 4297, Fund 3390, Fund 3514, Fund 9067, and Fund 9068 for that purpose. Upon receipt of reimbursement of amounts so transferred, the Director of the Lottery shall deposit the reimbursement amounts to the following accounts as required by this section.

340 - Education, Arts, Sciences and Tourism –

Debt Service Fund

(W.V. Code Chapter 5)

Fund 2252 FY 2026 Org 0211

	Appropriation	Lottery Funds
Debt Service – Total	31000	\$ 10,000,000

341 - Department of Tourism –

Office of the Secretary

(W.V. Code Chapter 5B)

Fund 3067 FY 2026 Org 0304

Tourism – Telemarketing Center	46300	\$ 82,080
Tourism – Advertising (R).....	61800	2,422,407
Tourism – Operations (R).....	66200	<u>4,612,532</u>
Total.....		\$ 7,117,019

Any unexpended balances remaining in the appropriations for Tourism – Advertising (fund 3067, appropriation 61800) and Tourism – Operations (fund 3067, appropriation 66200) at the

close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

342 - Division of Natural Resources

(W.V. Code Chapter 20)

Fund 3267 FY 2026 Org 0310

Personal Services and Employee Benefits 00100	\$ 2,826,421
Current Expenses 13000	26,900
Pricketts Fort State Park.....32400	106,560
Non-Game Wildlife (R) 52700	488,588
State Parks and Recreation Advertising (R) 61900	494,578
Total.....	\$ 3,943,047

Any unexpended balances remaining in the appropriations for Capital Outlay – Parks (fund 3267, appropriation 28800), Non-Game Wildlife (fund 3267, appropriation 52700), and State Parks and Recreation Advertising (fund 3267, appropriation 61900) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

343 - State Board of Education

(W.V. Code Chapters 18 and 18A)

Fund 3951 FY 2026 Org 0402

Hope Scholarship Program 30401	\$ 9,197,431
FBI Checks.....37200	127,704
Vocational Education	
Equipment Replacement.....39300	800,000
Assessment Program (R).....39600	490,439
Literacy Project.....89900	700,000
21st Century Technology Infrastructure	
Network Tools and Support (R) 93300	12,683,392
Total.....	\$ 23,998,966

Any unexpended balances remaining in the appropriations for Assessment Program (fund 3951, appropriation 39600) and 21st

Century Technology Infrastructure Network Tools and Support (fund 3951, appropriation 93300) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

344 - State Department of Education –

School Building Authority –

Debt Service Fund

(W.V. Code Chapter 18)

Fund 3963 FY 2026 Org 0404

Debt Service – Total	31000	\$ 15,234,900
Directed Transfer	70000	<u>2,765,100</u>
Total.....		\$ 18,000,000

The School Building Authority shall have the authority to transfer between the above appropriations in accordance with W.V. Code §29-22-18.

The above appropriation for Directed Transfer (fund 3963, appropriation 70000) may be transferred to the Department of Education – State Board of Education – School Building Authority – School Construction Fund (fund 3952) to be used for school construction and maintenance projects.

345 - Division of Culture and History –

Lottery Education Fund

(W.V. Code Chapter 29)

Fund 3534 FY 2026 Org 0432

Huntington Symphony	02700	\$ 59,000
Preservation West Virginia (R).....	09200	542,000
Fairs and Festivals (R)	12200	1,347,000
Commission for National and Community Service (R).....	19300	396,000

West Virginia Public Theater.....	31200	120,000
Greenbrier Valley Theater	42300	115,000
Theater Arts of West Virginia.....	46400	90,000
Marshall Artists Series	51800	36,000
West Virginia State Fair.....	65700	31,000
Contemporary American Theater Festival....	81100	57,000
Independence Hall	81200	27,000
Mountain State Forest Festival	86400	38,000
WV Symphony.....	90700	59,000
Wheeling Symphony.....	90800	59,000
Appalachian Children's Chorus.....	91600	54,000
Culture and History Programs	XXXXX	190,947
Total.....		\$ 3,220,947

Any unexpended balances remaining in the appropriations for Preservation West Virginia (fund 3534, appropriation 09200), Fairs and Festivals (fund 3534, appropriation 12200), Commission for National and Community Service (fund 3534, appropriation 19300), Archeological Curation/Capital Improvements (fund 3534, appropriation 24600), Historic Preservation Grants (fund 3534, appropriation 31100), and Grants for Competitive Arts Program (fund 3534, appropriation 62400) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

From the above appropriation for Preservation West Virginia (fund 3534, appropriation 09200) funding shall be provided to the African-American Heritage Family Tree Museum (Fayette) \$2,673, Aracoma Story (Logan) \$20,000, Arts Monongahela (Monongalia) \$11,881, Barbour County Arts and Humanities Council (Barbour) \$891, Buffalo Creek Memorial (Logan) \$2,970, Carnegie Hall (Greenbrier) \$46,899, Ceredo Historical Society (Wayne) \$1,188, Ceredo Kenova Railroad Museum (Wayne) \$1,188, Ceredo Museum (Wayne) \$720, Children's Theatre of Charleston (Kanawha) \$3,500, Chuck Mathena Center (Mercer) \$62,532, Country Music Hall of Fame and Museum (Marion) \$4,159, First Stage Children's Theater Company (Cabell) \$1,188, Flannigan Murrell House (Summers) \$3,781, Fort Ashby Fort (Mineral) \$891, Fort New Salem (Harrison) \$2,198, Fort Randolph

(Mason) \$2,970, General Adam Stephen Memorial Foundation (Berkeley) \$11,006, Grafton Mother's Day Shrine Committee (Taylor) \$9,029, Hardy County Tour and Crafts Association (Hardy) \$11,881, Heartwood in the Hills (Calhoun) \$5,040, Henderson Hall (Wood) \$20,000, Heritage Farm Museum & Village (Cabell) \$29,703, Historic Fayette Theater (Fayette) \$3,267, Historic Middleway Conservancy (Jefferson) \$594, Jefferson County Black History Preservation Society (Jefferson) \$2,970, Jefferson County Historical Landmark Commission (Jefferson) \$4,753, Maddie Carroll House (Cabell) \$4,455, Marshall County Historical Society (Marshall) \$5,049, McCoy Theater (Hardy) \$11,881, Memorial Day Patriotic Exercise (Taylor) \$20,000, Morgantown Theater Company (Monongalia) \$11,881, Nicholas Old Main Foundation (Nicholas) \$1,188, Norman Dillon Farm Museum (Berkeley) \$5,941, Oil and Gas Museum (Wood) \$20,000, Old Opera House Theater Company (Jefferson) \$8,911, Parkersburg Arts Center (Wood) \$11,881, Pocahontas Historic Opera House (Pocahontas) \$3,564, Raleigh County All Wars Museum (Raleigh) \$5,941, Roane County 4-H and FFA Youth Livestock Program (Roane) \$2,970, Robinson Grand Theatre (Harrison) \$50,000, Society for the Preservation of McGrew House (Preston) \$2,079, Southern West Virginia Veterans' Museum (Raleigh) \$3,393, Summers County Historic Landmark Commission (Summers) \$2,970, Those Who Served War Museum (Mercer) \$2,376, Three Rivers Avian Center (Summers) \$5,311, Veterans Committee for Civic Improvement of Huntington (Wayne) \$2,970, West Virginia Museum of Glass (Lewis) \$2,970, West Virginia Music Hall of Fame (Kanawha) \$20,792, YLA Camp Horseshoe (Tucker) \$59,406, Youth Museum of Southern West Virginia (Raleigh) \$7,129

From the above appropriation for Fairs and Festivals (fund 3534, appropriation 12200) funding shall be provided to A Princeton 4th (Mercer) \$1,800, African-American Cultural Heritage Festival (Jefferson) \$4,456, Allegheny Echo (Pocahontas) \$6,683, Alpine Festival/Leaf Peepers Festival (Tucker) \$6,683, American Civil War (Grant) \$3,127, American Legion Post 8 Veterans Day Parade (McDowell) \$1,250, Annual Don Redman Heritage Concert & Awards (Jefferson) \$938, Antique Market Fair

(Lewis) \$1,188, Apple Butter Festival (Morgan) \$3,564, Armed Forces Day-South Charleston (Kanawha) \$2,000, Arthurdale Heritage New Deal Festival (Preston) \$2,970, Artists of the New (Fayette) \$2,000, Athens Town Fair (Mercer) \$1,188, Augusta Fair (Randolph) \$2,970, Autumn Harvest Fest (Monroe) \$2,448, Back Home Festival (Wetzel) \$5,000, Barbour County Fair (Barbour) \$14,851, Battelle District Fair (Monongalia) \$3,340, Battle of Dry Creek (Greenbrier) \$891, Battle of Point Pleasant Memorial Committee (Mason) \$2,970, Beckley Honey Festival (Raleigh) \$1,710, Beckley Main Street (Raleigh) \$2,000, Belleville Homecoming (Wood) \$11,881, Berkeley County Youth Fair (Berkeley) \$10,990, BEX Arts Festival (Raleigh) \$2,000, Black Heritage Festival (Harrison) \$3,564, Black Walnut Festival (Roane) \$5,940, Blacksville VFD Memorial Day Celebration (Monongalia) \$1,000, Blast from the Past (Upshur) \$1,440, Boone County Labor Day Celebration (Boone) \$2,376, Boone Day (Kanawha) \$1,000, Bradshaw Fall Festival (McDowell) \$1,188, Bramwell Labor Day (Mercer) \$5,000, Brandonville Heritage Day (Preston) \$1,048, Braxton County Fair (Braxton) \$6,832, Braxton County Monster Fest / West Virginia Autumn Festival (Braxton) \$1,000, Brooke County Fair (Brooke) \$2,079, Buckwheat Festival (Preston) \$5,050, Buffalo October Fest (Putnam) \$3,240, Burlington Apple Harvest Auxiliary (Mineral) \$13,821, Burlington Pumpkin Harvest Festival (Raleigh) \$2,970, Burlington Volunteer Fire and Rescue Carnival (Mineral) \$4,000, Burnsville Freedom Festival (Braxton) \$1,407, Calhoun County Wood Festival (Calhoun) \$1,188, Campbell's Creek Community Fair (Kanawha) \$2,000, Cape Coalwood Festival Association (McDowell) \$1,485, Capon Bridge Founders Day Festival (Hampshire) \$500, Capon Springs Ruritan 4th of July (Hampshire) \$2,500, Cedar Grove - Annual Fallfest (Kanawha) \$2,000, Celebration of America (Monongalia) \$3,564, Chapmanville Apple Butter Festival (Logan) \$684, Chapmanville Fire Department 4th of July (Logan) \$1,782, Charles Town Christmas Festival (Jefferson) \$2,970, Charles Town Heritage Festival (Jefferson) \$2,970, Cherry River Festival (Nicholas) \$3,861, Chester 4th of July Festivities (Hancock) \$2,970, Chilifest West Virginia State Chili

Championship (Cabell) \$1,563, Chillin' on the Elk (Kanawha) \$1,000, Christmas In Our Town (Marion) \$3,127, Christmas In Our Town (Wetzel) \$2,000, Christmas in Shepherdstown (Jefferson) \$2,376, Christmas in the Park (Brooke) \$2,970, Christmas in the Park (Logan) \$14,851, Christmas on Main Street (Hancock) \$11,881, City of Dunbar Critter Dinner (Kanawha) \$6,000, Clay County Golden Delicious Apple Festival (Clay) \$4,158, Clay District Fair (Monongalia) \$3,341, Coal Field Jamboree (Logan) \$20,792, Coalton Days Fair (Randolph) \$4,158, Country Roads Festival (Wetzel) \$2,000, Covered Bridge Festival (Marion) \$3,000, Craigsville Fall Festival (Nicholas) \$2,079, Cruise into Princeton (Mercer) \$2,160, Culturefest World Music & Arts Festival (Mercer) \$3,200, Day in the Valley - McCutcheon Car Show (Marion) \$3,000, Delbarton Homecoming (Mingo) \$2,079, Dirt Days (Mingo) \$2,000, East Bank End of Summer Celebration (Kanawha) \$2,000, Elbert/Filbert Reunion Festival (McDowell) \$891, Fairview 4th of July Celebration (Marion) \$684, Farmer's Day Festival (Monroe) \$2,330, Fenwick Mountain Old Time Community Festival (Nicholas) \$2,880, FestivALL Charleston (Kanawha) \$12,000, Fly in Festival (Cabell) \$5,000, Follansbee Community Days (Brooke) \$4,900, Fort Gay Mountain Heritage Days (Wayne) \$2,970, Fort Henry Days (Ohio) \$3,148, Fort Henry Living History (Ohio) \$1,563, Fort New Salem Spirit of Christmas Festival (Harrison) \$2,432, Frankford Autumnfest (Greenbrier) \$2,970, Franklin Fishing Derby (Pendleton) \$10,709, Freedom Festival (Wood) \$8,000, Freshwater Folk Festival (Greenbrier) \$2,970, Friends Auxiliary of W.R. Sharpe Hospital (Lewis) \$2,970, Fund for the Arts-Wine & All that Jazz Festival (Kanawha) \$8,000, Gassaway Days Celebration (Braxton) \$2,970, Gilmer County Farm Show (Gilmer) \$2,376, Great Greenbrier River Race (Pocahontas) \$5,940, Guyandotte Civil War Days (Cabell) \$5,941, Hamlin 4th of July Celebration (Lincoln) \$2,970, Hampshire Civil War Celebration Days (Hampshire) \$684, Hampshire County 4th of July Celebration (Hampshire) \$11,881, Hampshire County Fair (Hampshire) \$5,002, Hampshire County Festival (Hampshire) \$2,752, Hardy County Commission - 4th of July (Hardy) \$5,940, Harvest Moon Festival (Wood) \$2,000, Hatfield McCoy Matewan

Reunion Festival (Mingo) \$12,330, Hatfield McCoy Reunion Festival (Logan) \$2,000, Hatfield McCoy Trail National ATV and Dirt Bike Weekend (Wyoming) \$2,970, Head For the Hills Festival (Ritchie) \$3,000, Head of the Dragon (McDowell) \$1,500, Heritage Craft Festival (Monroe) \$3,000, Hilltop Festival (Cabell) \$1,500, Hinton Railroad Days (Summers) \$4,347, Holly River Festival (Webster) \$891, Hometown Mountain Heritage Festival (Fayette) \$2,432, Hometown Trail Days (McDowell) \$1,188, Hundred 4th of July (Wetzel) \$6,207, Huntersville Traditions Day (Pocahontas) \$4,000, Jaeger Town Fair (McDowell) \$891, Irish Heritage Festival of West Virginia (Raleigh) \$2,970, Irish Spring Festival (Lewis) \$684, Italian Heritage Festival-Clarksburg (Harrison) \$17,821, Jackson County Fair (Jackson) \$2,970, Jefferson County Fair Association (Jefferson) \$14,851, Jersey Mountain Ruritan Pioneer Days (Hampshire) \$684, John Henry Days Festival (Monroe) \$4,698, Johnnie Johnson Blues and Jazz Festival (Marion) \$2,970, Johnstown Community Fair (Harrison) \$1,485, Junior Heifer Preview Show (Lewis) \$1,188, Keg and Barrel Fest (Mineral) \$2,000, Kenova Autumn Festival (Wayne) \$4,377, Kermit Fall Festival (Mingo) \$1,782, King Coal Festival (Mingo) \$2,970, Kingwood Downtown Street Fair and Heritage Days (Preston) \$1,188, Knights of Columbus Irish Road Bowling (Marshall) \$3,000, L.Z. Rainelle West Virginia Veterans Reunion (Greenbrier) \$2,970, Larry Joe Harless Center Octoberfest Hatfield McCoy Trail (Mingo) \$5,940, Larry Joe Harless Community Center Spring Middle School Event (Mingo) \$3,000, Last Blast of Summer (McDowell) \$2,970, Lewisburg Shanghai (Greenbrier) \$1,188, Lincoln County Fall Festival (Lincoln) \$4,752, Lincoln County Winterfest (Lincoln) \$3,000, Lindside 4th of July Parade (Monroe) \$1,000, Lindside Veterans' Day Parade (Monroe) \$720, Little Levels Heritage Festival (Pocahontas) \$1,188, Lost Creek Community Festival (Harrison) \$4,158, Main Street Arts Festival (Upshur) \$3,127, Main Street Martinsburg Chocolate Fest and Book Fair (Berkeley) \$2,813, Main Street Martinsburg Food Truck Fest (Berkeley) \$4,700, Malden Salt Fest (Kanawha) \$3,000, Mannington District Fair (Marion) \$3,564, Marmet Labor Day Celebration (Kanawha) \$3,500, Marshall County Antique Power

Show (Marshall) \$1,485, Marshall County Fair (Marshall) \$3,564, Martinsburg Roundhouse Railfest (Berkeley) \$2,000, Mason County Fair (Mason) \$2,970, Matewan Massacre Reenactment (Mingo) \$5,004, Matewan-Magnolia Fair (Mingo) \$15,932, McGrew House History Day (Preston) \$1,188, Meadow Bridge Hometown Festival (Fayette) \$1,000, Meadow River Days Festival (Greenbrier) \$1,782, Mercer County Fair (Mercer) \$1,188, Mercer County Heritage Festival (Mercer) \$3,474, Milton Christmas in the Park (Cabell) \$1,485, Milton Old Timey Days (Cabell) \$1,485, Mineral County Veterans Day Parade (Mineral) \$891, Molasses Festival (Calhoun) \$1,188, Monongalia County Fair (Monongalia) \$7,250, Moon Over Mountwood Fishing Festival (Wood) \$1,782, Morgan County Fair-History Wagon (Morgan) \$891, Moundsville Bass Festival (Marshall) \$2,376, Moundsville July 4th Celebration (Marshall) \$2,970, Mount Liberty Fall Festival (Barbour) \$1,485, Mountain Heritage Arts and Crafts Festival (Jefferson) \$2,970, Mountain Music Festival (McDowell) \$1,485, Mountain Roots Community Theater (Kanawha) \$5,000, Mountain State Apple Harvest Festival (Berkeley) \$4,456, Mountain State Arts & Crafts Fair Cedar Lakes (Jackson) \$26,732, Mountaineer Boys' State (Lewis) (Lewis) \$5,000, Mullens Dogwood Festival (Wyoming) \$4,158, Multi-Cultural Festival of West Virginia (Kanawha) \$12,000, New Cumberland 4th of July (Hancock) \$2,970, New Cumberland Christmas Parade (Hancock) \$1,782, New Martinsville Regatta (Wetzel) \$9,000, New Martinsville Vintage Regatta (Wetzel) \$5,000, New River Bridge Day Festival (Fayette) \$23,762, Nicholas County Potato Festival (Nicholas) \$5,000, Oak Leaf Festival (Fayette) \$6,253, Oceana Heritage Festival (Wyoming) \$4,000, Oglebay City Park - Festival of Lights (Ohio) \$47,524, Oglebay Festival (Ohio) \$5,940, Ohio County Country Fair (Ohio) \$5,346, Old Brick Playhouse (Randolph) \$7,000, Old Central City Fair (Cabell) \$2,970, Old Tyme Christmas (Jefferson) \$1,425, Osage Street Fair (Monongalia) \$2,188, Parkersburg Homecoming (Wood) \$8,754, Paw Paw District Fair (Marion) \$2,079, Pax Reunion Committee (Fayette) \$2,970, Pendleton County 4-H Weekend (Pendleton) \$1,188, Petersburg 4th of July Celebration (Grant) \$11,881, Piedmont-Annual Back Street

Festival (Mineral) \$2,376, Pinch Reunion (Kanawha) \$5,000, Pine Bluff Fall Festival (Harrison) \$2,376, Pine Grove 4th of July Festival (Wetzel) \$6,058, Pleasants County Agriculture Youth Fair (Pleasants) \$2,970, Pocahontas County Pioneer Days (Pocahontas) \$4,159, Pratt Fall Festival (Kanawha) \$2,500, Princeton Autumnfest (Mercer) \$1,563, Princeton Street Fair (Mercer) \$2,970, Putnam County Fair (Putnam) \$2,970, Quartets on Parade (Hardy) \$2,376, Rainelle Fall Festival (Greenbrier) \$3,127, Rand Community Center Festival (Kanawha) \$2,500, Randolph County Community Arts Council (Randolph) \$1,782, Randolph County Fair (Randolph) \$4,158, Randolph County Ramps and Rails (Randolph) \$2,188, Ranson Christmas Festival (Jefferson) \$2,970, Ranson Festival (Jefferson) \$2,970, Renick Liberty Festival (Greenbrier) \$684, Rhododendron Girl's State (Ohio) (Ohio) \$5,941, Ripley 4th of July (Jackson) \$8,910, Ritchie County Pioneer Days (Ritchie) \$684, River City Festival (Preston) \$684, Rivesville Christmas Festival (Marion) \$2,000, Rivesville Riverfront Festival (Marion) \$2,000, Roane County Agriculture Field Day (Roane) \$1,782, Rock the Park (Kanawha) \$1,500, Rockin New Years Eve (Grant) \$2,000, Rowlesburg Labor Day Festival (Preston) \$684, Ruby Summer Concert Series (Monongalia) \$2,000, Ruddell Park Jamboree (Pendleton) \$2,000, Rupert Country Fling (Greenbrier) \$1,876, Saint Spyridon Greek Festival (Harrison) \$1,485, Salem Apple Butter Festival (Harrison) \$2,376, Shiloh Days (Tyler) (Tyler) \$2,000, Sissonville Christmas Festival (Kanawha) \$2,000, Sistersville 4th of July (Tyler) \$4,776, Skirmish on the River (Mingo) \$1,250, Smoke on the Water (Wetzel) \$1,782, South Charleston Summerfest (Kanawha) \$7,500, Southern Wayne County Fall Festival (Wayne) \$684, Spirit of Grafton Celebration (Taylor) \$6,240, Spring Mountain Festival (Grant) \$2,500, St. Albans City of Lights – December (Kanawha) \$3,000, St. Albans Train Fest (Kanawha) \$6,000, Sternwheel Festival (Wood) \$1,782, STOCO Festival (Raleigh) \$1,485, Stonewall Jackson Heritage Arts & Crafts Jubilee (Lewis) \$6,534, Stonewall Jackson's Roundhouse Raid (Berkeley) \$7,200, Strawberry Festival (Upshur) \$17,821, Sylvester Big Coal River Festival (Boone) \$1,944, Tacy Fair (Barbour) \$684, Taste of

Parkersburg (Wood) \$2,970, Taylor County Fair (Taylor) \$3,567, Three Rivers Coal Festival (Marion) \$4,604, Thunder on the Tygart - Mothers' Day Celebration (Taylor) \$7,300, Town of Delbarton 4th of July Celebration (Mingo) \$1,782, Town of Fayetteville Heritage Festival (Fayette) \$4,456, Town of Rivesville 4th of July Festival (Marion) \$3,127, Town of Winfield - Putnam County Homecoming (Putnam) \$3,240, Treasure Mountain Festival (Pendleton) \$25,000, Tri-County Fair (Grant) \$22,548, Tucker County Arts Festival and Celebration (Tucker) \$10,692, Tucker County Fair (Tucker) \$2,821, Turkey Festival (Hardy) \$1,782, Tyler County Fireworks Celebration (Tyler) \$3,000, Upper Kanawha Valley Oktoberfest (Kanawha) \$2,000, Upper Ohio Valley Italian Festival (Ohio) \$7,128, Valley District Fair (Preston) \$2,079, Veterans Welcome Home Celebration (Cabell) \$938, Vietnam Veterans of America # 949 Christmas Party (Cabell) \$684, Volcano Days at Mountwood Park (Wood) \$2,970, War Homecoming Fall Festival (McDowell) \$891, Wardensville Fall Festival (Hardy) \$2,970, Wayne County Fair (Wayne) \$2,970, Wayne County Fall Festival (Wayne) \$2,970, Webster County Fair (Webster) \$3,600, Webster County Wood Chopping Festival (Webster) \$8,910, Webster Wild Water Weekend (Webster) \$1,188, Welcome Home Family Day (Wayne) \$1,900, Wellsburg Apple Festival of Brooke County (Brooke) \$2,970, West Virginia Chestnut Festival (Preston) \$684, West Virginia Coal Festival (Boone) \$5,940, West Virginia Dairy Cattle Show (Lewis) \$15,000, West Virginia Dandelion Festival (Greenbrier) \$2,970, West Virginia Day at the Railroad Museum (Mercer) \$1,800, West Virginia Fair and Exposition (Wood) \$4,812, West Virginia Freedom Festival (Logan) \$4,456, West Virginia Oil and Gas Festival (Tyler) \$7,500, West Virginia Peach Festival (Mineral) \$5,166, West Virginia Pumpkin Festival (Cabell) \$5,940, West Virginia Rivers and Rails Festival (Pleasants) \$1,099, West Virginia State Folk Festival (Gilmer) \$2,970, West Virginia Water Festival (Summers) \$9,144, Wetzel County Autumnfest (Wetzel) \$3,267, Wetzel County Town and Country Days (Wetzel) \$10,098, Wheeling City of Lights (Ohio) \$4,752, Wheeling Vintage Raceboat Regatta (Ohio) \$11,881, Whipple Community Action

(Fayette) \$1,485, Whitehall Community Event (Marion) \$2,000, Winfield Watersports Weekend (Putnam) \$3,240, Wirt County Fair (Wirt) \$1,485, Wirt County Pioneer Days (Wirt) \$1,188, Youth Stockman Beef Expo (Lewis) \$1,188

Any Fairs and Festivals awards shall be funded in addition to, and not in lieu of, individual grant allocations derived from the Arts Council and Cultural Grant Program allocations.

346 - *Division of Culture and History* –

Library Commission –

Lottery Education Fund

(W.V. Code Chapter 10)

Fund 3559 FY 2026 Org 0432

Books and Films	17900	\$	360,784
Services to Libraries	18000		550,000
Grants to Public Libraries	18200		9,439,571
Digital Resources	30900		219,992
Infomine Network (R).....	88400		<u>944,715</u>
Total.....		\$	11,515,062

Any unexpended balances remaining in the appropriation for Infomine Network (fund 3559, appropriation 88400) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

347 - *Educational Broadcasting Commission*

(W.V. Code Chapter 10)

Fund 3587 FY 2026 Org 0439

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 3587, appropriation 75500) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

*348 - Higher Education Policy Commission –**Lottery Education –**Higher Education Policy Commission –**Control Account*

(W.V. Code Chapters 18B and 18C)

Fund 4925 FY 2026 Org 0441

RHI Program and Site Support (R).....	03600	\$ 1,924,101
RHI Program and Site Support –		
RHEP Program Administration	03700	146,653
RHI Program and Site Support – Grad Med		
Ed and Fiscal Oversight (R)	03800	90,206
State Doctoral Fellowship (R).....	16600	129,604
Health Sciences Scholarship (R).....	17600	226,260
Vice Chancellor for Health Sciences –		
Rural Health Residency Program (R)	60100	62,725
WV Engineering, Science, and		
Technology Scholarship Program.....	86800	<u>452,831</u>
Total.....		\$ 3,032,380

Any unexpended balances remaining in the appropriations for RHI Program and Site Support (fund 4925, appropriation 03600), RHI Program and Site Support – Grad Med Ed and Fiscal Oversight (fund 4925, appropriation 03800), State Doctoral Fellowship (fund 4925, appropriation 16600), Health Sciences Scholarship (fund 4925, appropriation 17600), and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4925, appropriation 60100) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

The above appropriation for WV Engineering, Science, and Technology Scholarship Program (fund 4925, appropriation 86800) shall be transferred to the West Virginia Engineering, Science, and Technology Scholarship Fund (fund 4928) established by W.V. Code §18C-6-1.

349 - Community and Technical College –*Capital Improvement Fund*

(W.V. Code Chapter 18B)

Fund 4908 FY 2026 Org 0442

Debt Service – Total 31000 \$ 5,000,000

Any unexpended balance remaining in the appropriation for Capital Outlay and Improvements – Total (fund 4908, appropriation 84700) and Capital Improvements – Total (fund 4908, appropriation 95800) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

The total amount of this appropriation shall be paid from the sale of the Series 2017 Community and Technical Colleges Capital Improvement Refunding Revenue Bonds and anticipated interest earnings.

350 - Higher Education Policy Commission –*Lottery Education –**West Virginia University – School of Medicine*

(W.V. Code Chapter 18B)

Fund 4185 FY 2026 Org 0463

WVU Health Sciences –

RHI Program and Site Support (R).....	03500	\$ 1,257,402
MA Public Health Program and		
Health Science Technology (R).....	62300	53,020
Health Sciences		
Career Opportunities Program (R).....	86900	339,155
HSTA Program (R).....	87000	1,919,907
Center for Excellence in Disabilities (R).....	96700	<u>330,867</u>
Total.....		\$ 3,900,351

Any unexpended balances remaining in the appropriations for WVU Health Sciences – RHI Program and Site Support (fund 4185, appropriation 03500), MA Public Health Program and Health Science Technology (fund 4185, appropriation 62300), Health Sciences Career Opportunities Program (fund 4185, appropriation 86900), HSTA Program (fund 4185, appropriation 87000), and Center for Excellence in Disabilities (fund 4185, appropriation 96700) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

351 - Higher Education Policy Commission –

Lottery Education –

Marshall University – School of Medicine

(W.V. Code Chapter 18B)

Fund 4896 FY 2026 Org 0471

Marshall Medical School –

RHI Program and Site Support (R).....03300	\$	457,532
Vice Chancellor for Health Sciences –		
Rural Health Residency Program (R).....60100		<u>181,171</u>
Total.....	\$	638,703

Any unexpended balances remaining in the appropriations for Marshall Medical School – RHI Program and Site Support (fund 4896, appropriation 03300) and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4896, appropriation 60100) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

352 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(W.V. Code Chapter 29)

Fund 5405 FY 2026 Org 0508

Personal Services and Employee Benefits....00100	\$	163,530

Salary and Benefits of Cabinet Secretary		
and Agency Heads	00201	86,002
Repairs and Alterations	06400	1,000
Current Expenses	13000	332,284
Local Programs Service Delivery Costs	20000	2,435,250
Silver Haired Legislature	20200	18,500
Transfer to Division of Human Services for		
Health Care and Title XIX Waiver for		
Senior Citizens	53900	27,986,092
Roger Tompkins Alzheimers Respite Care...	64300	2,310,673
WV Alzheimers Hotline	72400	45,000
Regional Aged and		
Disabled Resource Center	76700	425,000
Senior Services Medicaid Transfer	87100	16,400,070
Legislative Initiatives for the Elderly	90400	9,671,239
Long Term Care Ombudsmen	90500	297,226
BRIM Premium	91300	7,718
In-Home Services and		
Nutrition for Senior Citizens (R)	91700	<u>6,845,941</u>
Total		\$ 67,025,525

Any unexpended balances remaining in the appropriation for Senior Citizen Centers and Programs (fund 5405, appropriation 46200) and In-Home Services and Nutrition for Senior Citizens (fund 5405, appropriation 91700) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

Included in the above appropriation for Current Expenses (fund 5405, appropriation 13000), is funding to support an in-home direct care workforce registry.

The above appropriation for Transfer to the Department of Human Services for Health Care and Title XIX Waiver for Senior Citizens (fund 5405, appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

Total TITLE II, Section 4 – Lottery Revenue..... \$ 157,392,000

Sec. 5. Appropriations from state excess lottery revenue fund.—In accordance with W.V. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a, and §29-25-22b, the following appropriations shall be deposited and disbursed by the Director of the Lottery to the following accounts in this section in the amounts indicated.

After first funding the appropriations required by W.V. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a, and §29-25-22b, the Director of the Lottery shall provide funding from the State Excess Lottery Revenue Fund for the remaining appropriations in this section to the extent that funds are available. In the event that revenues to the State Excess Lottery Revenue Fund are sufficient to meet all the appropriations required made pursuant to this section, then the Director of the Lottery shall then provide the funds available for fund 5365, appropriation 18900.

353 - Governor's Office

(W.V. Code Chapter 5)

Fund 1046 FY 2026 Org 0100

Any unexpended balance remaining in the appropriation for Publication of Papers and Transition Expenses – Lottery Surplus (fund 1046, appropriation 06600) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

354 - Office of Technology

(W.V. Code Chapter 5A)

Fund 2532 FY 2026 Org 0231

Any unexpended balances remaining in the appropriations for Cyber Security (fund 2532, appropriation 99001), Enterprise Data Center (fund 2532, appropriation 99002), and Enterprise Telephony Modernization (fund 2532, appropriation 99003) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

355 - Division of Economic Development

(W.V. Code Chapter 5B)

Fund 3170 FY 2026 Org 0307

Any unexpended balance remaining in the appropriation for Recreational Grants or Economic Development Loans (fund 3170, appropriation 25300) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

*356 - Division of Natural Resources –**State Park Improvement Fund*Fund 3277 FY 2026 Org 0310

	Appropriation	Excess Lottery Funds
Repairs and Alterations (R)	06400	\$ 161,200
Equipment (R).....	07000	200,000
Current Expenses (R).....	13000	23,300
Buildings (R).....	25800	100,000
Other Assets (R).....	69000	<u>1,020,500</u>
Total.....		\$ 1,505,000

Any unexpended balances remaining in the appropriations for Repairs and Alterations (fund 3277, appropriation 06400), Equipment (fund 3277, appropriation 07000), Unclassified – Total (fund 3277, appropriation 09600), Current Expenses (fund 3277, appropriation 13000), Buildings (fund 3277, appropriation 25800), and Other Assets (fund 3277, appropriation 69000) at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026.

*357 - West Virginia Infrastructure Council –**West Virginia Infrastructure Transfer Fund*Fund 3390 FY 2026 Org 0316

Directed Transfer 70000 \$ 46,000,000

The above appropriation shall be allocated pursuant to W.V. Code §29-22-18d and §31-15-9.

358 - Department of Education –

School Building Authority

Fund 3514 FY 2026 Org 0404

Debt Service - Total	31000	\$ 16,571,230
Directed Transfer	70000	<u>2,428,770</u>
Total.....		\$ 19,000,000

The School Building Authority shall have the authority to transfer between the above appropriations in accordance with W.V. Code §29-22-18a.

The above appropriation for Directed Transfer (fund 3514, appropriation 70000) may be transferred to the Department of Education – State Board of Education – School Building Authority – School Construction Fund (fund 3952) to be used for school construction and maintenance projects.

359 - Higher Education Policy Commission –

Education Improvement Fund

Fund 4295 FY 2026 Org 0441

PROMISE Scholarship – Transfer 80000 \$ 29,000,000

The above appropriation shall be transferred to the PROMISE Scholarship Fund (fund 4296) established by W.V. Code §18C-7-7.

The Legislature has explicitly set a finite amount of available appropriations and directed the administrators of the Program to provide for the award of scholarships within the limits of available appropriations.

360 - Higher Education Policy Commission –

Higher Education Improvement Fund

Fund 4297 FY 2026 Org 0441

Directed Transfer 70000 \$ 15,000,000

The above appropriation for Directed Transfer shall be transferred to Higher Education Policy Commission – System – Tuition Fee Capital Improvement Fund (fund 4903) as authorized by Senate Concurrent Resolution No. 41.

361 - Higher Education Policy Commission –

Administration –

Control Account

Fund 4932 FY 2026 Org 0441

Any unexpended balance remaining in the appropriation for Advanced Technology Centers (fund 4932, appropriation 02800) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

362 - Department of Human Services

(W.V. Code Chapters 9, 48, and 49)

Fund 5365 FY 2026 Org 0511

Medical Services 18900 \$ 80,805,007

363 - Division of Corrections and Rehabilitation –

Correctional Units

(W.V. Code Chapter 15A)

Fund 6283 FY 2026 Org 0608

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 6283, appropriation 75500) at the close of the fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

364 - Lottery Commission –

General Purpose Account

Fund 7206 FY 2026 Org 0705

General Revenue Fund – Transfer 70011 \$ 65,000,000

The above appropriation shall be transferred to the General Revenue Fund as determined by the Director of the Lottery in accordance with W.V. Code §29-22-18a.

365 - Lottery Commission –

Refundable Credit

Fund 7207 FY 2026 Org 0705

Directed Transfer 70000 \$ 10,000,000

The above appropriation shall be transferred to the General Revenue Fund to provide reimbursement for the refundable credit allowable under W.V. Code §11-21-21. The amount of the required transfer shall be determined solely by the State Tax Commissioner and shall be completed by the Director of the Lottery upon the Commissioner's request.

366 - Lottery Commission –

Distributions to Statutory Funds and Purposes

Fund 7213 FY 2026 Org 0705

Parking Garage Fund – Transfer.....	70001	\$	300,000
2004 Capitol Complex Parking Garage			
Fund – Transfer.....	70002		116,478
Capitol Dome and Improvements Fund –			
Transfer.....	70003		1,096,256

Capitol Renovation and Improvement		
Fund – Transfer.....	70004	2,381,252
Economic Development Promotion and		
Closing Fund – Transfer	70005	1,298,864
Research Challenge Fund – Transfer	70006	1,731,820
Tourism Promotion Fund – Transfer	70007	4,808,142
Cultural Facilities and Capital Resources		
Matching Grant Program Fund – Transfer ...	70008	1,500,000
State Debt Reduction Fund – Transfer.....	70010	20,000,000
General Revenue Fund – Transfer	70011	1,167,799
West Virginia Racing Commission		
Racetrack Video Lottery Account	70012	3,463,637
Historic Resort Hotel Fund	70013	24,010
Licensed Racetrack Regular Purse Fund	70014	<u>22,383,247</u>
Total.....		\$ 60,271,505

367 - Racing Commission

Fund 7308 FY 2026 Org 0707

Special Breeders Compensation		
(W.V. Code §29-22-18a, subsection (I)).....	21800	\$ 2,000,000

368 - Economic Development Authority –

Cacapon and Beech Fork State Parks –

Lottery Revenue Debt Service

Fund 9067 FY 2026 Org 0944

Debt Service.....	04000	\$ 2,032,000

369 - Economic Development Authority –

State Parks Lottery Revenue Debt Service Fund

Fund 9068 FY 2026 Org 0944

Debt Service.....	04000	\$ 4,395,000

Total TITLE II, Section 5 –

Excess Lottery Funds.....		<u>\$335,008,512</u>

Sec. 6. Appropriations of federal funds.—In accordance with Article 11, Chapter 4 of the Code from federal funds there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2026.

LEGISLATIVE

370 - Crime Victims Compensation Fund

(W.V. Code Chapter 14)

Fund 8738 FY 2026 Org 2300

	Appropriation	Federal Funds
Economic Loss Claim Payment Fund.....	33400	\$ 650,000

JUDICIAL

371 - Supreme Court

Fund 8867 FY 2026 Org 2400

Personal Services and Employee Benefits	00100	\$ 2,175,000
Repairs and Alterations.....	06400	100,000
Equipment.....	07000	250,000
Current Expenses	13000	1,275,000
Other Assets.....	69000	<u>200,000</u>
Total.....		\$ 4,000,000

EXECUTIVE

372 - Governor's Office –

Coronavirus State Fiscal Recovery Fund

(W.V. Code Chapter 4)

Fund 8823 FY 2026 Org 0100

Repairs and Alterations.....	06400	\$	1,000
Equipment.....	07000		1,000
Unclassified.....	09900		500,000
Current Expenses	13000		25,497,000
Other Assets.....	69000		1,000
Total.....		\$	26,000,000

373 - Department of Agriculture

(W.V. Code Chapter 19)

Fund 8736 FY 2026 Org 1400

Personal Services and Employee Benefits	00100	\$	2,722,216
Repairs and Alterations.....	06400		650,000
Equipment.....	07000		910,500
Unclassified.....	09900		50,534
Current Expenses	13000		6,841,987
Buildings.....	25800		1,000,000
Other Assets.....	69000		550,000
Land	73000		500,000
Federal Coronavirus Pandemic	89101		4,721,430
Total.....		\$	17,946,667

*374 - Department of Agriculture –**Meat Inspection Fund*

(W.V. Code Chapter 19)

Fund 8737 FY 2026 Org 1400

Personal Services and Employee Benefits	00100	\$	739,966
Repairs and Alterations.....	06400		5,500
Equipment.....	07000		114,478
Unclassified.....	09900		8,755
Current Expenses	13000		136,012
Total.....		\$	1,004,711

375 - Department of Agriculture –*State Conservation Committee**(W.V. Code Chapter 19)*Fund 8783 FY 2026 Org 1400

Personal Services and Employee Benefits 00100	\$	99,978
Current Expenses 13000		<u>15,599,974</u>
Total.....	\$	15,699,952

376 - Department of Agriculture –*Land Protection Authority**(W.V. Code Chapter 19)*Fund 8896 FY 2026 Org 1400

Personal Services and Employee Benefits 00100	\$	46,526
Unclassified.....09900		5,004
Current Expenses 13000		<u>448,920</u>
Total.....	\$	500,450

377 - Attorney General –*Medicaid Fraud Unit**(W.V. Code Chapter 5)*Fund 8882 FY 2026 Org 1500

Personal Services and Employee Benefits 00100	\$	1,960,197
Repairs and Alterations 06400		4,313
Equipment 07000		7,500
Unclassified.....09900		15,336
Current Expenses 13000		611,287
Other Assets 69000		<u>11,336</u>
Total.....	\$	2,609,969

378 - Secretary of State –*State Election Fund*

(W.V. Code Chapter 3)

Fund 8854 FY 2026 Org 1600

Personal Services and Employee Benefits....00100	\$	210,240
Repairs and Alterations.....06400		15,000
Unclassified.....09900		7,484
Current Expenses 13000		415,727
Other Assets.....69000		<u>100,000</u>
Total.....	\$	748,451

DEPARTMENT OF COMMERCE**379 - Division of Forestry**

(W.V. Code Chapter 19)

Fund 8703 FY 2026 Org 0305

Personal Services and Employee Benefits....00100	\$	645,226
Repairs and Alterations.....06400		155,795
Equipment.....07000		1,000,000
Unclassified.....09900		51,050
Current Expenses 13000		3,062,013
Other Assets.....69000		<u>3,078,847</u>
Total.....	\$	7,992,931

380 - Geological and Economic Survey

(W.V. Code Chapter 29)

Fund 8704 FY 2026 Org 0306

Personal Services and Employee Benefits....00100	\$	204,432
Repairs and Alterations.....06400		305,000
Equipment.....07000		187,500
Unclassified.....09900		2,803
Current Expenses 13000		195,639

Buildings	25800	500,000
Other Assets	69000	<u>15,000</u>
Total		\$ 1,410,374

381 - Division of Economic Development

(W.V. Code Chapter 5B)

Fund 8705 FY 2026 Org 0307

Personal Services and Employee Benefits 00100	\$ 1,808,480
Unclassified.....09900	50,000
Current Expenses 13000	21,304,019
Broadband Federal Funding.....87101	<u>792,031,764</u>
Total	\$ 815,194,263

382 - Office of Energy

(W.V. Code Chapter 5B)

Fund 8892 FY 2026 Org 0307

Personal Services and Employee Benefits 00100	\$ 1,020,137
Unclassified.....09900	7,350
Current Expenses 13000	<u>8,266,076</u>
Total	\$ 9,293,563

383 - Division of Economic Development –

Office of Economic Opportunity

(W.V. Code Chapter 5)

Fund 8901 FY 2026 Org 0307

Personal Services and Employee Benefits 00100	\$ 857,689
Repairs and Alterations.....06400	250
Equipment.....07000	6,000
Unclassified.....09900	106,795
Current Expenses 13000	<u>20,303,081</u>
Total	\$ 21,273,815

384 - Division of Labor

(W.V. Code Chapters 21 and 47)

Fund 8706 FY 2026 Org 0308

Personal Services and Employee Benefits 00100	\$	460,197
Repairs and Alterations.....06400		500
Unclassified.....09900		5,572
Current Expenses 13000		<u>167,098</u>
Total.....	\$	633,367

385 - Division of Natural Resources

(W.V. Code Chapter 20)

Fund 8707 FY 2026 Org 0310

Personal Services and Employee Benefits 00100	\$	11,474,295
Repairs and Alterations.....06400		566,250
Equipment.....07000		2,126,141
Unclassified.....09900		107,693
Current Expenses 13000		7,887,660
Administration 15500		50,325
Buildings.....25800		951,000
Other Assets.....69000		4,768,670
Land 73000		<u>2,893,920</u>
Total.....	\$	30,825,954

386 - Division of Miners' Health, Safety and Training

(W.V. Code Chapter 22)

Fund 8709 FY 2026 Org 0314

Personal Services and Employee Benefits 00100	\$	708,694
Current Expenses 13000		<u>150,000</u>
Total.....	\$	858,694

387 - WorkForce West Virginia

(W.V. Code Chapter 23)

Fund 8835 FY 2026 Org 0323

Unclassified.....	09900	\$	5,127
Current Expenses	13000		667,530
Reed Act 2002 –			
Unemployment Compensation	62200		4,446,737
Reed Act 2002 – Employment Services	63000		<u>3,246,737</u>
Total.....		\$	8,366,131

Pursuant to the requirements of 42 U.S.C. 1103, Section 903 of the Social Security Act, as amended, and the provisions of W.V. Code §21A-9-9, the above appropriation to Unclassified and Current Expenses shall be used by WorkForce West Virginia for the specific purpose of administration of the State's unemployment insurance program or job service activities, subject to each and every restriction, limitation or obligation imposed on the use of the funds by those federal and state statutes.

*388 - State Board of Rehabilitation –**Division of Rehabilitation Services*

(W.V. Code Chapter 18)

Fund 8734 FY 2026 Org 0932

Personal Services and Employee Benefits	00100	\$	12,642,892
Salary and Benefits of Cabinet Secretary			
and Agency Heads	00201		153,000
Repairs and Alterations	06400		350,400
Equipment	07000		1,275,870
Current Expenses	13000		<u>68,440,940</u>
Total.....		\$	82,863,102

*389 - State Board of Rehabilitation –**Division of Rehabilitation Services –**Disability Determination Services*

(W.V. Code Chapter 18)

Fund 8890 FY 2026 Org 0932

Personal Services and Employee Benefits 00100	\$ 19,748,690
Repairs and Alterations 06400	1,100
Equipment 07000	83,350
Current Expenses 13000	<u>13,383,206</u>
Total.....	\$ 33,216,346

DEPARTMENT OF TOURISM*390 - Department of Tourism –**Tourism Workforce Development Fund*

(W.V. Code Chapter 5B)

Fund 8903 FY 2026 Org 0304

Federal Coronavirus Pandemic	89101	\$ 2,765,115

391 - Division of Culture and History

(W.V. Code Chapter 29)

Fund 8718 FY 2026 Org 0432

Personal Services and Employee Benefits 00100	\$ 927,795
Repairs and Alterations 06400	1,000
Equipment 07000	1,000
Current Expenses 13000	1,947,372
Buildings 25800	1,000
Other Assets 69000	1,000
Land 73000	<u>360</u>
Total.....	\$ 2,879,527

392 - Library Commission

(W.V. Code Chapter 10)

Fund 8720 FY 2026 Org 0432

Personal Services and Employee Benefits 00100	\$ 387,033
Equipment 07000	543,406

Current Expenses	13000	1,076,162
Federal Coronavirus Pandemic	89101	<u>2,388,880</u>
Total		\$ 4,395,481

393 - Commission for National and Community Service

(W.V. Code Chapter 5F)

Fund 8841 FY 2026 Org 0432

Personal Services and Employee Benefits	00100	\$ 471,153
Repairs and Alterations	06400	1,000
Current Expenses	13000	5,587,325
Federal Coronavirus Pandemic	89101	<u>1,960,558</u>
Total		\$ 8,020,036

394 - National Coal Heritage Area Authority

(W.V. Code Chapter 29)

Fund 8869 FY 2026 Org 0432

Personal Services and Employee Benefits	00100	\$ 201,942
Repairs and Alterations	06400	5,000
Equipment	07000	3,000
Current Expenses	13000	328,008
Other Assets	69000	<u>2,000</u>
Total		\$ 539,950

DEPARTMENT OF EDUCATION

395 - State Board of Education –

State Department of Education

(W.V. Code Chapters 18 and 18A)

Fund 8712 FY 2026 Org 0402

Personal Services and Employee Benefits	00100	\$ 6,146,942
Repairs and Alterations	06400	10,000
Equipment	07000	10,000

Unclassified.....	09900	2,000,000
Current Expenses	13000	834,146,008
Other Assets	69000	10,000
Federal Coronavirus Pandemic	89101	<u>4,990,123</u>
Total.....		\$ 847,313,073

396 - State Board of Education –

School Lunch Program

(W.V. Code Chapters 18 and 18A)

Fund 8713 FY 2026 Org 0402

Personal Services and Employee Benefits	00100	\$ 2,010,501
Repairs and Alterations	06400	20,000
Equipment	07000	100,000
Unclassified.....	09900	1,150,500
Current Expenses	13000	258,781,265
Other Assets	69000	25,000
Federal Coronavirus Pandemic	89101	<u>743,436</u>
Total.....		\$ 262,830,702

397 - State Board of Education –

Vocational Division

(W.V. Code Chapters 18 and 18A)

Fund 8714 FY 2026 Org 0402

Personal Services and Employee Benefits	00100	\$ 2,032,898
Repairs and Alterations	06400	10,000
Equipment	07000	10,000
Unclassified.....	09900	155,000
Current Expenses	13000	20,820,081
Other Assets	69000	<u>10,000</u>
Total.....		\$ 23,037,979

398 - State Board of Education –

Aid for Exceptional Children

(W.V. Code Chapters 18 and 18A)

Fund 8715 FY 2026 Org 0402

Personal Services and Employee Benefits 00100	\$	3,671,135
Repairs and Alterations.....06400		10,000
Equipment.....07000		10,000
Unclassified.....09900		1,000,000
Current Expenses 13000		139,346,390
Other Assets.....69000		10,000
Federal Coronavirus Pandemic 89101		<u>17,336,635</u>
Total.....	\$	161,384,160

399 - WV Professional Charter School Board

(W.V. Code Chapter 18)

Fund 8828 FY 2026 Org 0405

Personal Services and Employee Benefits 00100	\$	99,805
Repairs and Alterations.....06400		100
Equipment.....07000		100
Current Expenses 13000		4,287,108
Other Assets.....69000		<u>100</u>
Total.....	\$	4,387,213

DEPARTMENT OF ENVIRONMENTAL PROTECTION*400 - Division of Environmental Protection*

(W.V. Code Chapter 22)

Fund 8708 FY 2026 Org 0313

Personal Services and Employee Benefits 00100	\$	37,148,357
Repairs and Alterations.....06400		739,783
Equipment.....07000		1,712,238
Unclassified.....09900		1,923,580
Current Expenses 13000		347,447,019
West Virginia Drinking Water Treatment		
Revolving Fund – Transfer.....68900		80,753,300
Other Assets.....69000		<u>2,177,261</u>

Land	73000	<u>80,000</u>
Total.....		\$ 471,981,538

DEPARTMENT OF HEALTH

401 - Department of Health –

Central Office

(W.V. Code Chapter 16)

Fund 8802 FY 2026 Org 0506

Personal Services and Employee Benefits	00100	\$ 21,101,605
Equipment	07000	456,972
Unclassified.....	09900	856,614
Current Expenses	13000	139,553,476
Buildings	25800	155,000
Other Assets.....	69000	380,000
Federal Coronavirus Pandemic	89101	<u>40,061,935</u>
Total.....		\$ 202,565,602

402 - Human Rights Commission

(W.V. Code Chapter 5)

Fund 8725 FY 2026 Org 0510

Personal Services and Employee Benefits	00100	\$ 737,485
Unclassified.....	09900	5,050
Current Expenses	13000	<u>164,950</u>
Total.....		\$ 907,485

403 - Office of the Inspector General

(W.V. Code Chapter 16B)

Fund 8211 FY 2026 Org 0513

Personal Services and Employee Benefits	00100	\$ 2,346,638
Repairs and Alterations.....	06400	500
Equipment	07000	500

Unclassified.....	09900	8,335
Current Expenses	13000	943,527
Other Assets	69000	<u>500</u>
Total.....		\$ 3,300,000

DEPARTMENT OF HUMAN SERVICES

404 - Department of Human Services

(W.V. Code Chapters 9, 48, and 49)

Fund 8722 FY 2026 Org 0511

Personal Services and Employee Benefits	00100	\$ 88,722,032
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	73,500
Unclassified.....	09900	22,855,833
Current Expenses	13000	207,311,984
Medical Services	18900	4,151,432,776
Medical Services Administrative Costs	78900	170,074,119
CHIP Administrative Costs.....	85601	7,627,469
CHIP Services	85602	65,805,357
Federal Coronavirus Pandemic	89101	<u>4,000,000</u>
Total.....		\$ 4,717,903,070

405 - Department of Human Services –

Consolidated Medical Service Fund

(W.V. Code Chapter 16)

Fund 8723 FY 2026 Org 0511

Personal Services and Employee Benefits	00100	\$ 1,485,132
Unclassified.....	09900	73,307
Current Expenses	13000	103,197,690
Federal Coronavirus Pandemic	89101	<u>564,772</u>
Total.....		\$ 105,320,901

DEPARTMENT OF HOMELAND SECURITY**406 - Division of Emergency Management**

(W.V. Code Chapter 15)

Fund 8727 FY 2026 Org 0606

Personal Services and Employee Benefits 00100	\$	2,035,385
Salary and Benefits of Cabinet Secretary and Agency Heads		00201 61,250
Repairs and Alterations		06400 5,000
Equipment		07000 100,000
Current Expenses		13000 <u>20,429,281</u>
Total	\$	<u>22,630,916</u>

407 - Division of Corrections and Rehabilitation

(W.V. Code Chapters 15A)

Fund 8836 FY 2026 Org 0608

Unclassified.....	09900	\$	1,100
Current Expenses	13000		<u>1,900</u>
Total		\$	<u>3,000</u>

408 - West Virginia State Police

(W.V. Code Chapter 15)

Fund 8741 FY 2026 Org 0612

Personal Services and Employee Benefits 00100	\$	3,266,412
Repairs and Alterations		06400 42,000
Equipment		07000 13,356,035
Current Expenses		13000 2,250,971
Buildings		25800 1,740,500
Other Assets		69000 1,065,750
Land		73000 <u>500</u>
Total	\$	<u>21,722,168</u>

409 - Fire Commission

(W.V. Code Chapter 15A)

Fund 8819 FY 2026 Org 0619

Current Expenses	13000	\$	80,000

410 - Division of Administrative Services

(W.V. Code Chapter 15)

Fund 8803 FY 2026 Org 0623

Personal Services and Employee Benefits	00100	\$	1,363,346
Repairs and Alterations	06400		1,750
Unclassified.....	09900		25,185
Current Expenses	13000		<u>75,381,973</u>
Total.....		\$	76,772,254

DEPARTMENT OF REVENUE*411 - Insurance Commissioner*

(W.V. Code Chapter 33)

Fund 8883 FY 2026 Org 0704

Personal Services and Employee Benefits	00100	\$	145,000
Equipment	07000		30,000
Current Expenses	13000		<u>2,825,000</u>
Total.....		\$	3,000,000

DEPARTMENT OF TRANSPORTATION*412 - Division of Motor Vehicles*

(W.V. Code Chapter 17B)

Fund 8787 FY 2026 Org 0802

Personal Services and Employee Benefits	00100	\$	900,000
Repairs and Alterations	06400		500

Current Expenses	13000	<u>5,448,106</u>
Total.....		\$ 6,348,606

413 - Division of Multimodal Transportation Facilities –

Public Transit

(W.V. Code Chapter 17)

Fund 8745 FY 2026 Org 0810

Personal Services and Employee Benefits 00100	\$ 1,089,934
Repairs and Alterations.....06400	2,500
Equipment.....07000	3,501,714
Current Expenses	13000 20,863,149
Buildings.....25800	2,450,000
Other Assets.....69000	<u>250,000</u>
Total.....	\$ 28,157,297

414 - Division of Multimodal Transportation Facilities –

Aeronautics Commission

(W.V. Code Chapter 29)

Fund 8831 FY 2026 Org 0810

Current Expenses	13000	\$ 199,800
Other Assets.....69000		<u>100</u>
Total.....		\$ 199,900

DEPARTMENT OF VETERANS' ASSISTANCE

415 - Department of Veterans' Assistance

(W.V. Code Chapter 9A)

Fund 8858 FY 2026 Org 0613

Personal Services and Employee Benefits 00100	\$ 3,453,384
Salary and Benefits of Cabinet Secretary and Agency Heads	00201 57,120
Repairs and Alterations.....06400	20,000

Equipment	07000	25,000
Current Expenses	13000	3,840,300
Buildings	25800	22,750,000
Land	73000	500
Veterans' Cemetery	80800	175,000
Federal Coronavirus Pandemic	89101	<u>1,900,000</u>
Total.....		\$ 32,221,304

416 - Department of Veterans' Assistance –

Veterans' Home

(W.V. Code Chapter 9A)

Fund 8728 FY 2026 Org 0618

Personal Services and Employee Benefits	00100	\$ 1,062,331
Repairs and Alterations.....	06400	60,500
Equipment.....	07000	10,500
Current Expenses	13000	618,180
Buildings	25800	500
Other Assets	69000	6,500
Land	73000	100
Federal Coronavirus Pandemic	89101	<u>1,600,000</u>
Total.....		\$ 3,358,611

BUREAU OF SENIOR SERVICES

417 - Bureau of Senior Services

(W.V. Code Chapter 29)

Fund 8724 FY 2026 Org 0508

Personal Services and Employee Benefits	00100	\$ 857,874
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	12,782
Repairs and Alterations.....	06400	3,000
Current Expenses	13000	<u>13,811,853</u>
Total.....		\$ 14,685,509

MISCELLANEOUS BOARDS AND COMMISSIONS**418 - Adjutant General –***State Militia*

(W.V. Code Chapter 15)

Fund 8726 FY 2026 Org 0603

Unclassified.....	09900	\$	982,705
Mountaineer ChalleNGe Academy.....	70900		12,312,486
Martinsburg Starbase	74200		890,990
Charleston Starbase.....	74300		857,297
Military Authority.....	74800		<u>90,033,787</u>
Total.....		\$	<u>105,077,265</u>

The Adjutant General shall have the authority to transfer between appropriations.

419 - Adjutant General –*West Virginia National Guard Counterdrug Forfeiture Fund*

(W.V. Code Chapter 15)

Fund 8785 FY 2026 Org 0603

Personal Services and Employee Benefits....	00100	\$	1,350,000
Repairs and Alterations.....	06400		50,000
Equipment.....	07000		200,000
Current Expenses	13000		150,000
Buildings	25800		100,000
Other Assets.....	69000		100,000
Land	73000		<u>50,000</u>
Total.....		\$	<u>2,000,000</u>

420 - Public Service Commission –*Motor Carrier Division*

(W.V. Code Chapter 24A)

Fund 8743 FY 2026 Org 0926

Personal Services and Employee Benefits....00100	\$ 1,600,289
Repairs and Alterations.....06400	39,000
Equipment.....07000	1,000
Current Expenses 13000	<u>368,953</u>
Total.....	\$ 2,009,242

*421 - Public Service Commission –**Gas Pipeline Division*

(W.V. Code Chapter 24B)

Fund 8744 FY 2026 Org 0926

Personal Services and Employee Benefits....00100	\$ 725,664
Equipment.....07000	3,000
Unclassified.....09900	4,072
Current Expenses 13000	<u>124,628</u>
Total.....	\$ 857,364

422 - Economic Development Authority

(W.V. Code Chapter 31)

Fund 8893 FY 2026 Org 0944

Current Expenses 13000	5,000,000
Total TITLE II, Section 6 – Federal Funds.....	<u>\$8,224,744,008</u>

Sec. 7. Appropriations from federal block grants.—The following items are hereby appropriated from federal block grants to be available for expenditure during the fiscal year 2026.

*423 - Division of Economic Development –**Community Development*Fund 8746 FY 2026 Org 0307

Personal Services and Employee Benefits....00100	\$ 10,672,367

Unclassified.....	09900	2,375,000
Current Expenses	13000	<u>224,476,883</u>
Total.....		\$ 237,524,250

424 - Division of Economic Development –

Office of Economic Opportunity –

Community Services

Fund 8902 FY 2026 Org 0307

Personal Services and Employee Benefits	00100	\$ 773,389
Repairs and Alterations.....	06400	1,500
Equipment.....	07000	9,000
Unclassified.....	09900	125,000
Current Expenses	13000	<u>17,781,811</u>
Total.....		\$ 18,690,700

425 - WorkForce West Virginia –

Workforce Investment Act

Fund 8749 FY 2026 Org 0323

Personal Services and Employee Benefits	00100	\$ 3,036,190
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	124,018
Repairs and Alterations.....	06400	1,600
Equipment.....	07000	500
Unclassified.....	09900	23,023
Current Expenses	13000	63,381,511
Buildings	25800	<u>1,100</u>
Total.....		\$ 66,567,942

426 - Department of Health –

Maternal and Child Health

Fund 8750 FY 2026 Org 0506

Personal Services and Employee Benefits	00100	\$ 2,509,103

Unclassified.....	09900	81,439
Current Expenses	13000	<u>7,294,267</u>
Total.....		\$ 9,884,809

427 - Department of Health –

Preventive Health

Fund 8753 FY 2026 Org 0506

Personal Services and Employee Benefits	00100	\$ 283,642
Equipment	07000	165,642
Unclassified.....	09900	22,457
Current Expenses	13000	<u>1,895,366</u>
Total.....		\$ 2,367,107

428 - Department of Human Services –

Energy Assistance

Fund 8755 FY 2026 Org 0511

Personal Services and Employee Benefits	00100	\$ 2,733,782
Salary and Benefits of Cabinet Secretary And Agency Heads	00201	2,450
Unclassified.....	09900	350,000
Current Expenses	13000	<u>57,082,035</u>
Total.....		\$ 60,168,267

429 - Department of Human Services –

Social Services

Fund 8757 FY 2026 Org 0511

Personal Services and Employee Benefits	00100	\$ 9,709,574
Unclassified.....	09900	171,982
Current Expenses	13000	<u>8,870,508</u>
Total.....		\$ 18,752,064

*430 - Department of Human Services –**Substance Abuse Prevention and Treatment*Fund 8793 FY 2026 Org 0511

Personal Services and Employee Benefits 00100	\$	736,598
Unclassified.....09900		115,924
Current Expenses 13000		10,853,740
Federal Coronavirus Pandemic 89101		<u>4,225,212</u>
Total.....	\$	15,931,474

*431 - Department of Human Services –**Community Mental Health Services*Fund 8794 FY 2026 Org 0511

Personal Services and Employee Benefits 00100	\$	748,144
Unclassified.....09900		33,533
Current Expenses 13000		9,735,527
Federal Coronavirus Pandemic 89101		<u>2,070,960</u>
Total.....	\$	12,588,164

*432 - Department of Human Services –**Temporary Assistance for Needy Families*Fund 8816 FY 2026 Org 0511

Personal Services and Employee Benefits 00100	\$	22,903,080
Salary and Benefits of Cabinet Secretary And Agency Head.....00201		7,350
Unclassified.....09900		1,250,000
Current Expenses 13000		<u>152,504,134</u>
Total.....	\$	176,664,564

*433 - Department of Human Services –**Child Care and Development*Fund 8817 FY 2026 Org 0511

Personal Services and Employee Benefits....00100	\$ 3,753,484
Salary and Benefits of Cabinet Secretary And Agency Head.....00201	2,450
Unclassified.....09900	350,000
Current Expenses 13000	<u>107,150,000</u>
Total.....	\$ 111,255,934

Total TITLE II, Section 7 –

Federal Block Grants \$ 730,395,275

Sec. 8. Awards for claims against the state.—There are hereby appropriated for fiscal year 2026, from the fund as designated, in the amounts as specified, general revenue funds in the amount of \$1,100,000, special revenue funds in the amount of \$250,000, and state road funds in the amount of \$864,750 for payment of claims against the state.

Sec. 9. Appropriations from general revenue fund surplus accrued. —The following items are hereby appropriated from the state fund, general revenue, and are to be available for expenditure during the fiscal year 2026 out of surplus funds only, accrued from the fiscal year ending June 30, 2025, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriations be payable only from surplus as of July 31, 2025 from the fiscal year ending June 30, 2025, only after first meeting requirements of W.Va. Code §11B-2-20(b).

In the event that surplus revenues available on July 31, 2025, are not sufficient to meet the appropriations made pursuant to this section, then the appropriations shall be made to the extent that surplus funds are available as of the date mandated to meet the appropriations in this section and shall be allocated first to provide the necessary funds to meet the first appropriation of this section and each subsequent appropriation in the order listed in this section.

434 - Division of Highways

(W.V. Code Chapter 17 and 17C)

Fund 0620 FY 2026 Org 0803

Direct Transfer - Surplus 70099 \$ 125,000,000

The above appropriation for Directed Transfer – Surplus (fund 0620, appropriation 70099) shall be transferred to Division of Highways (fund 9017).

435 - Division of Economic Development –

(W.V. Code Chapter 5B)

Fund 0256 FY 2026 Org 0307

Directed Transfer - Surplus.....70099 \$ 75,000,000

The above appropriation for Directed Transfer – Surplus (fund 0256, appropriation 70099) shall be transferred to the Economic Development Project Fund (fund 9069).

436 - Division of Economic Development –

(W.V. Code Chapter 5B)

Fund 0256 FY 2026 Org 0307

Directed Transfer - Surplus.....70099 \$ 10,000,000

The above appropriation for Directed Transfer – Surplus (fund 0256, appropriation 70099) shall be transferred to the Water Development Authority (fund 3382).

437 - Division of Economic Development –

(W.V. Code Chapter 5B)

Fund 0256 FY 2026 Org 0307

Current Expense - Surplus 13099 \$ 250,000

The above appropriation for Current Expense – Surplus (fund 0256, appropriation 13099) shall be granted to the Cabell County Commission for Lily's Place.

Total TITLE II, Section 9 –

General Revenue Surplus Accrued \$ 210,250,000

Sec. 10. Appropriations from lottery net profits surplus accrued.—The following items are hereby appropriated from the lottery net profits, and are to be available for expenditure during the fiscal year 2026 out of surplus funds only, as determined by the Director of Lottery, accrued from the fiscal year ending June 30, 2025, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriations be payable only from surplus accrued from the fiscal year ending June 30, 2025.

In the event that surplus revenues available from the fiscal year ending June 30, 2025, are not sufficient to meet the appropriations made pursuant to this section, then the appropriations shall be made to the extent that surplus funds are available.

438 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(W.V. Code Chapter 29)

Fund 5405 FY 2026 Org 0508

Senior Services Medicaid Transfer –

Lottery Surplus 68199 \$ 14,750,000

In-Home Services and Nutrition for Senior

Citizens – Surplus 76699 2,000,000

Total..... 16,750,000

Total TITLE II, Section 10 –

Surplus Accrued..... \$ 16,750,000

Sec. 11. Appropriations from state excess lottery revenue surplus accrued.—The following items are hereby appropriated from the state excess lottery revenue fund, and are to be available for expenditure during the fiscal year 2026 out of surplus funds only, as determined by the Director of Lottery, accrued from the

fiscal year ending June 30, 2025, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriations be payable only from surplus accrued from the fiscal year ending June 30, 2025.

In the event that surplus revenues available from the fiscal year ending June 30, 2025, are not sufficient to meet the appropriations made pursuant to this section, then the appropriations shall be made to the extent that surplus funds are available.

439 - Racing Commission –

General Administration

(W.V. Code Chapter 19)

Fund 7308 FY 2026 Org 0707

Directed Transfer – Lottery Surplus 70098 \$ 800,000

The above appropriation for Directed Transfer – Lottery Surplus (fund 7308, appropriation 70098), \$800,000 shall be transferred to the Racing Commission – General Administration (fund 7305).

440 - Department of Human Services

(W.V. Code Chapters 9, 48, and 49)

Fund 5365 FY 2026 Org 0511

Medical Services – Lottery Surplus 68100 \$ 20,545,488

Total TITLE II, Section 11 –

Surplus Accrued..... \$ 21,345,488

Sec. 12. Special revenue appropriations.—There are hereby appropriated for expenditure during the fiscal year 2026 special revenues collected pursuant to general law enactment of the Legislature which are not paid into the state fund as general

revenue under the provisions of W.V. Code §12-2-2 and are not expressly appropriated under this act: *Provided*, That none of the money so appropriated by this section shall be available for expenditure except in compliance with the provisions of W.V. Code §12-2-1 et seq., W.V. Code §12-3-1 et seq., and W.V. Code §11B-2-1 et seq., unless the spending unit has filed with the Director of the Budget and the Legislative Auditor prior to the beginning of each fiscal year:

(a) An estimate of the amount and sources of all revenues accruing to such fund; and

(b) A detailed expenditure schedule showing for what purposes the fund is to be expended: *Provided, however*, That federal funds received by the state may be expended only in accordance with Sections (6) or (7) of this Title and with W.V. Code §4-11-1, *et seq.* *Provided further*, That federal funds that become available to a spending unit for expenditure while the Legislature is not in session and the availability of such funds could not reasonably have been anticipated and included in this act may be only be expended in the limited circumstances provided by W.V. Code §4-11-5(d): *And provided further*, That no provision of this act may be construed to authorize the expenditure of federal funds except as provided in this section.

During Fiscal Year 2026, the following funds are hereby available and are to be transferred to the Department of Health and Human Resources, Division of Human Services – Medical Services Trust Fund (fund 5185) from available balances per the following:

441 – Division of General Services –

Capitol Complex Parking Garage Fund

(WV Code Chapter 5A)

Fund 2461 FY 2026 Org 0211

Directed Transfer 70000 \$ 1,000,000

*442 - Division of Labor –**Bedding and Upholstery Fund*

(W.V. Code Chapter 47)

Fund 3198 FY 2026 Org 0308

Directed Transfer 70000 \$ 1,000,000

*443 - Division of Natural Resources –**Planning and Development Division*

(W.V. Code Chapter 20)

Fund 3205 FY 2026 Org 0310

Directed Transfer 70000 \$ 2,000,000

*444 - Fire Commission –**Fire Marshal Fees*

(W.V. Code Chapter 15A)

Fund 6152 FY 2026 Org 0619

Directed Transfer 70000 \$ 4,000,000

*445 - Public Service Commission –**Motor Carrier Division*

(W.V. Code Chapter 24A)

Fund 8625 FY 2026 Org 0926

Directed Transfer 70000 \$ 4,000,000

Total TITLE II, Section 12 –

Special Revenue Appropriation \$ 12,000,000

Sec. 13. State improvement fund appropriations.—Bequests or donations of nonpublic funds, received by the Governor on behalf of the state during the fiscal year 2026, for the purpose of making studies and recommendations relative to improvements of the administration and management of spending units in the executive branch of state government, shall be deposited in the state treasury in a separate account therein designated state improvement fund.

There are hereby appropriated all moneys so deposited during the fiscal year 2026 to be expended as authorized by the Governor, for such studies and recommendations which may encompass any problems of organization, procedures, systems, functions, powers or duties of a state spending unit in the executive branch, or the betterment of the economic, social, educational, health and general welfare of the state or its citizens.

Sec. 14. Specific funds and collection accounts.—A fund or collection account which by law is dedicated to a specific use is hereby appropriated in sufficient amount to meet all lawful demands upon the fund or collection account and shall be expended according to the provisions of Article 3, Chapter 12 of the Code.

Sec. 15. Appropriations for refunding erroneous payment.—Money that has been erroneously paid into the state treasury is hereby appropriated out of the fund into which it was paid, for refund to the proper person.

When the officer authorized by law to collect money for the state finds that a sum has been erroneously paid, he or she shall issue his or her requisition upon the Auditor for the refunding of the proper amount. The Auditor shall issue his or her warrant to the Treasurer and the Treasurer shall pay the warrant out of the fund into which the amount was originally paid.

Sec. 16. Sinking fund deficiencies.—There is hereby appropriated to the Governor a sufficient amount to meet any deficiencies that may arise in the Mortgage Finance Bond Insurance fund of the West Virginia Housing Development Fund which is under the supervision and control of the Municipal Bond

Commission as provided by W.V. Code §31-18-20b, or in the funds of the Municipal Bond Commission because of the failure of any state agency for either general obligation or revenue bonds or any local taxing district for general obligation bonds to remit funds necessary for the payment of interest and sinking fund requirements. The Governor is authorized to transfer from time to time such amounts to the Municipal Bond Commission as may be necessary for these purposes.

The Municipal Bond Commission shall reimburse the State of West Virginia through the Governor from the first remittance collected from the West Virginia Housing Development Fund or from any state agency or local taxing district for which the Governor advanced funds, with interest at the rate carried by the bonds for security or payment of which the advance was made.

Sec. 17. Appropriations for local governments.—There are hereby appropriated for payment to counties, districts, and municipal corporations such amounts as will be necessary to pay taxes due counties, districts, and municipal corporations and which have been paid into the treasury:

- (a) For redemption of lands;
- (b) By public service corporations;
- (c) For tax forfeitures.

Sec. 18. Total appropriations.—Where only a total sum is appropriated to a spending unit, the total sum shall include personal services and employee benefits, annual increment, current expenses, repairs and alterations, buildings, equipment, other assets, land, and capital outlay, where not otherwise specifically provided and except as otherwise provided in TITLE I – GENERAL PROVISIONS, Sec. 3.

Sec. 19. General school fund.—The balance of the proceeds of the general school fund remaining after the payment of the appropriations made by this act is appropriated for expenditure in accordance with W.V. Code §18-9A-16.

TITLE III – ADMINISTRATION

Sec. 1. Appropriations conditional.—The expenditure of the appropriations made by this act, except those appropriations made to the legislative and judicial branches of the state government, are conditioned upon the compliance by the spending unit with the requirements of Article 2, Chapter 11B of the Code.

Where spending units or parts of spending units have been absorbed by or combined with other spending units, it is the intent of this act that appropriations and reappropriations shall be to the succeeding or later spending unit created, unless otherwise indicated.

Sec. 2. Constitutionality.—If any part of this act is declared unconstitutional by a court of competent jurisdiction, its decision shall not affect any portion of this act which remains, but the remaining portion shall be in full force and effect as if the portion declared unconstitutional had never been a part of the act.

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

Engrossed Committee Substitute for House Bill 2026, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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, Woodrum, and Smith (Mr. President)—31.

The nays were: Willis—1.

Absent: Boley and Woelfel—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2026) passed with its title.

Senator Barrett moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, 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, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Boley and Woelfel—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2026) takes effect from passage.

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

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

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

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

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

On page 1, section 8a, line 9, by deleting subsection (c) in its entirety and inserting in lieu thereof the following:

"(c) (1) Beginning on December 31, 2025 and due annually on or before that date thereafter, each utility shall provide a report that lists all projects planned by the utility, during the next two years including anticipated construction start and stop dates, that require digging or cutting into any paved road to the district office of the

Division of Highways in which the paved road is located. The report shall also include identification of any grants that have either been received or applied for that may result in work that affects a paved road. The Division of Highways shall review and consider such reports in conjunction with the division's planning of projects and paving activity.

(2) If the utility does not have plans to improve or replace any road asset under consideration in the next two calendar years, the said utility may submit a "no plans report" and opt out of the yearly report. Failure to comply with these reporting requirements may result in The Division of Highways to withhold issuing a "Right of Way Entry Permit" until the required report is submitted.";

And,

On page 2, section 8a(f), line 28, immediately following the second occurrence of the word "right-of-way" by striking the remainder of the subsection and inserting and inserting in lieu thereof the following:

"in accordance with the West Virginia Division of Highways Accommodation of Utilities on Highway Right-of-Way and Adjustment and Relocation of Utility Facilities on Highway Projects latest manual."

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

Engrossed Committee Substitute for Senate Bill 1, 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, 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, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Boley and Woelfel—2.

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. 1) passed with its title.

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

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

Eng. Com. Sub. for Senate Bill 722, Creating WV Short Line Railroad Modernization Act.

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

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

On page 5, section 8, following line 2, by adding "No entitlement to any tax credit authorized by this article may result from, and no credit is available to any person for, expenditures incurred subsequent to July 1, 2030."

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

Engrossed Committee Substitute for Senate Bill 722, 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, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—31.

The nays were: Tarr—1.

Absent: Boley and Woelfel—2.

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. 722) passed with its title.

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

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

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

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

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

On page 1, section 4a, line 1, by striking subsection (a) in its entirety and inserting a new subsection (a) to read as follows:

"(a) Upon patient admission to a medication-assisted treatment program, the provider shall conduct a clinically appropriate drug test, which may include direct observation, if the provider determines the patient is at high risk."

And,

On page 1, line 3, by striking, "After this time and continuing for six weeks," and inserting in lieu thereof, "At minimum,"

And,

On page 1, line 3, by striking the word, "quantitative" and inserting in lieu thereof the word, "qualitative"

And,

On page 1, lines 9 and 10 by striking, "the patient must be willing to produce a direct observation qualitative or quantitative test upon the provider request." and inserting in lieu thereof, "the patient shall comply with a physician ordered direct observation qualitative or quantitative test.";

And,

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

"(f) Each patient admitted to an office-based medication-assisted treatment program shall be offered testing for blood-borne communicable diseases, including HIV and hepatitis C, as part of the initial assessment."

On motion of Senator Martin, the following amendments to the House of Delegates amendments to the bill (Eng. S. B. 939) were reported by the Clerk, considered simultaneously, and adopted:

On page 1, section 4a, line 3, after the word "qualitative," by inserting the words "or quantitative";

And,

On page 1, section 4a, after line 10, by striking out all of subsection (f) and inserting in lieu thereof a new subsection (f) to read as follows:

(f) Each patient admitted to a medication-assisted treatment program shall be offered the following basic services onsite as part of the initial assessment:

(1) Routine health screenings, including blood pressure and cholesterol screenings;

(2) HIV, hepatitis, and sexually transmitted diseases screenings;

(3) Birth control and voluntary long-acting reversible contraceptives;

(4) Vaccinations;

(5) Basic diagnostic screenings, including a urinalysis;

(6) Treatment of common illnesses and injuries, such as, but not limited to:

(A) Cold;

(B) Flu;

(C) Minor infections; and

(D) Minor strains; and

(7) Overdose prevention supplies and education: *Provided*, That a medication-assisted treatment telehealth provider shall be exempt from the requirements of this subsection. *Provided, however*, That patients enrolled with a telehealth provider shall be referred every three months to a primary care provider during a continuous treatment episode.;

And,

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

Eng. Senate Bill 939—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16B-13-4a, relating to testing and basic services for substance use disorder; and setting forth testing and basic service guidelines for medication-assisted treatment facilities.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Senate Bill 939, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Boley and Woelfel—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 939) passed with its Senate amended title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, 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, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Boley and Woelfel—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 939) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, to take effect July 1, 2025, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendments, as to

Eng. Com. Sub. for House Bill 2008, Executive Branch Reorganization.

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

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

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

Eng. Com. Sub. for House Bill 2008—A Bill to amend and reenact §5B-1-1, §5B-1-2, §5B-2-1, §5B-2-2, §5B-2-3, §5B-2-3b, §5B-2-4, §5B-2-4a, §5B-2-5, §5B-2-6, §5B-2-6a, §5B-2-9a, §5B-2-10, §5B-2-14, §5B-2-16, §5B-2-17, §5B-2-18, §5B-2-19, §5B-2-20, §5F-1-2, §5F-2-1, §29-1-8d, §31G-1A-1, §31G-1A-5, §31G-1A-6, and §31G-1A-7 of the Code of West Virginia, 1931, as amended; and to repeal §5F-1-3a and §5F-1-6, relating to merging and reorganizing of the executive branch; reconstituting Department of Economic Development as the Division of Economic Development and placing it within Department of Commerce; specifying that starting on July 1, 2025, new hires and anyone who moves positions within Department of Commerce shall be in classified exempt service system and shall be exempt from the state grievance procedures; redesignating Department of Economic Development as Division of Economic Development under Department of Commerce; correcting titles of Division of Economic Development and Department of Commerce in several sections of code; specifying that starting on July 1, 2025, new hires and anyone who moves positions within Division of Economic Development shall be in classified exempt service system and shall be exempt from state grievance procedures; providing certain exemptions; providing that Secretary of Department of Commerce may designate certain employees' status within the civil service system in order to comply with federal law or receive federal funds; clarifying the continued applicability of certain other employee protections found elsewhere in code; changing code provisions to reflect certain actions regarding Department of Arts, Culture and History and Department of Tourism; correcting titles of affected departments, divisions, and positions throughout based on redesignations; and technical cleanup of amended and reenacted sections.

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

Engrossed Committee Substitute for House Bill 2008, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Hart, Helton, Jeffries, Martin, Maynard, Oliverio, Queen, Roberts, Rose, Rucker, Takubo, Taylor, Thorne, Willis, Woodrum, and Smith (Mr. President)—24.

The nays were: Garcia, Grady, Hamilton, Morris, Phillips, Stuart, Tarr, and Weld—8.

Absent: Boley and Woelfel—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2008) passed with its House of Delegates amended title.

Senator Martin moved that the bill take effect July 1, 2025.

On this question, the yeas were: Azinger, Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—30.

The nays were: Hamilton and Phillips—2.

Absent: Boley and Woelfel—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2008) takes effect July 1, 2025.

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 Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, to take effect July 1, 2025, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendments, as to

Eng. House Bill 2009, Relating to the merging and reorganizing of the executive branch.

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

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

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

Eng. House Bill 2009—A Bill to amend and reenact §5B-2I-2, §5B-2I-4, §10-5-2, §29-1-1, §29-1-1a, §29-1-2, §29-1-3, §29-1-4, §29-1-6, §29-1-7, §29-1-8, §29-1-8c, §29-1-9, §29-1-11, §29-1-12, §29-1-13, §29-1-14, and §29-1-15 of the Code of West Virginia, 1931, as amended; and to repeal §5F-1-3a, §5F-1-6, and §29-1-10, relating to the merging and reorganizing of the executive branch; abolishing Department of Arts, Culture, and History and reorganizing its sections and commissions under Department of Tourism; specifying the authority of the Secretary of Department of Tourism over these sections and commissions; correcting titles of affected departments, divisions, and positions based on the redesignations; specifying that starting on July 1, 2025, new hires and anyone who moves positions within Department of Tourism shall be in the classified exempt service system and shall be exempt from the state grievance procedures; providing Secretary of Department of Tourism authority to appoint the directors of certain sections; substituting the title of Secretary of Department of Tourism for Secretary of the Department of Arts, Culture, and History in several sections of code; granting Secretary of Tourism authority to approve or repeal rules promulgated by sections and commissions listed in certain sections of code; specifying that

starting on July 1, 2025, new hires and employees that move positions within the sections and commissions shall be in the classified exempt service system and shall be exempt from state grievance procedures; providing an exemption; providing that Secretary of Department of Tourism may designate certain employees' status within the civil service system in order to comply with federal law or receive federal funds; clarifying the continued applicability of certain other employee protections found elsewhere in code; granting Secretary of Department of Tourism discretion to allow a person to serve in multiple positions or professions within certain sections of code; removing certain specific qualifications for persons appointed as directors of various sections of code; and technical cleanup of amended and reenacted sections.

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

Engrossed House Bill 2009, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Hart, Helton, Jeffries, Martin, Maynard, Oliverio, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Willis, Woodrum, and Smith (Mr. President)—24.

The nays were: Garcia, Grady, Hamilton, Morris, Phillips, Queen, Stuart, and Weld—8.

Absent: Boley and Woelfel—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 2009) passed with its House of Delegates amended title.

Senator Martin moved that the bill take effect July 1, 2025.

On this question, the yeas were: Azinger, Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hart,

Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—30.

The nays were: Hamilton and Phillips—2.

Absent: Boley and Woelfel—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 2009) takes effect July 1, 2025.

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 Senate amendment, as amended by the House of Delegates, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendment, as to

Eng. Com. Sub. for House Bill 2011, To supplement, amend, and increase an existing item of appropriation in the aforesaid accounts for the designated spending unit for expenditure during the fiscal year 2025.

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

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

On page 1, line 8, by striking out "150,000,000" and inserting in lieu thereof "123,000,000".

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

Engrossed Committee Substitute for House Bill 2011, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Boley and Woelfel—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2011) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, 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, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Boley and Woelfel—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2011) takes effect from passage.

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 Senate amendment, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendment, as to

Eng. Com. Sub. for House Bill 2434, Relating to establishing the Stop Squatters Act.

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

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

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

Eng. Com. Sub. for House Bill 2434—A Bill to amend and reenact §55-3C-1 and §55-3C-2 of the Code of West Virginia, 1931, as amended, and adding thereto the following new sections, designated §55-3C-3, §55-3C-4, §55-3C-5, and §55-3C-6, all relating to squatting; establishing the Stop Squatters Act; providing a short title and findings; amending the definition of squatting and adding a definition for squatter; providing a limited alternative remedy to remove unauthorized persons from residential and commercial real properties; providing for the immediate removal by a law-enforcement agency upon request of the property owner of any person unlawfully occupying a residential dwelling or commercial building if certain conditions are met; providing a civil cause of action for wrongful removal; establishing misdemeanor and felony offenses for unlawfully occupying and intentionally damaging a residential dwelling or commercial building and providing penalties upon conviction thereof; establishing a misdemeanor offense for knowingly presenting a false document purporting to convey real property and providing penalties upon conviction thereof; and establishing a felony offense for any person who knowingly lists or advertises residential real property or a commercial building for sale or renting without legal title or authority and providing penalties upon conviction thereof.

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

Engrossed Committee Substitute for House Bill 2434, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Boley and Woelfel—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2434) 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 Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendments, as to

Eng. Com. Sub. for Com. Sub. for House Bill 2871, Relating to the crime of negligent homicide.

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

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

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

Eng. Com. Sub. for Com. Sub. for House Bill 2871—A Bill to amend and reenact §14-2A-3 of the Code of West Virginia, 1931, as amended, related to updating definitions to "criminally injurious conduct"; also to amend and reenact §17B-1A-1 of the Code of West Virginia, 1931, as amended, relating to the driver's license compact and clarifying that any conviction for an offense in another jurisdiction for the crimes contained within §17C-5-1 shall be subject to revocation; also to amend and reenact §17B-3-5 of the Code of West Virginia, 1931, as amended, relating to update that a conviction of any offense contained within 17C-5-1 shall be subject to revocation; also to amend and reenact §17C-5-1 of the Code of West Virginia, 1931, as amended, relating to adding an embryo as a protected person and subject to the protections of this section, establishing the crimes of vehicular homicide, aggravated vehicular homicide, vehicular homicide in a school zone, vehicular homicide in a construction zone, and establishing fines and penalties related thereto, and establishing the nexus between a conviction of any of these offenses and the revocation of a person's driver's license; also to amend and reenact §17C-5-3 of the Code of West Virginia, 1931, as amended, relating to reckless driving and updating and enhancing the fines and penalties relating thereto; also to amend and reenact §17C-14-15 of the Code of West Virginia, 1931, as amended, relating to amending the electronically distracted driving act to clarify that a person convicted of causing the death of another due to a violation shall now be guilty of vehicular homicide; also to amend and reenact §17E-1-13 of the Code of West Virginia, 1931, as amended, relating to updating the commercial drivers license process to clarify that a conviction of an offense in 17C-5-1 shall disqualify a person from a commercial driver's license; also to amend and reenact §20-7-18a of the Code of West Virginia, 1931, as amended, relating to establishing the crimes of homicide by operation of motorized watercraft, aggravated homicide by operation of motorized watercraft, establishing fines and criminal penalties, and suspension of privileges to operate a motorboat or other motorized vessel upon conviction; also to amend and reenact §33-6A-1 of the Code of West Virginia, 1931, as amended, relating to cancellation and nonrenewal of automobile insurance premiums and updating to reflect the newly established crimes contained in §17C-5-1 of this

code; also to amend and reenact §33-6A-1 of the Code of West Virginia, 1931, as amended, relating to clarifying that a conviction for a crime in the newly created §17C-5-1 of this code shall constitute a basis for failure renew an outstanding automobile liability or physical damage insurance policy which has been in existence for two consecutive years; also to amend and reenact §49-1-207 of the Code of West Virginia, 1931, as amended, relating to updating that definitions in court actions involving juveniles to clarify that newly created criminal provisions contained in §17C-5-1 are defined as a "Violation of a traffic law of West Virginia"; also to amend and reenact §61-2-30 of the Code of West Virginia, 1931, as amended, relating to recognition of an embryo or fetus as a distinct unborn victim of certain crimes of violence against the person and clarifying that this section shall now apply to the criminal offenses contained in §17C-5-1 of this code.

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

Engrossed Committee Substitute for Committee Substitute for House Bill 2871, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Boley and Woelfel—2.

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 Com. Sub. for H. B. 2871) 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 Senate amendment, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendment, as to

Eng. Com. Sub. for House Bill 2960, Allowing the Division of Highways to contract out snow removal to private companies on secondary roads in Monongalia and Preston counties.

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

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

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

Eng. Com. Sub. for House Bill 2960—A Bill to amend the code of West Virginia, 1931, as amended, by adding a new article, designated §17-9-1, relating to a pilot program for snow removal; stating legislative findings; establishing a priority schedule for state routes in regard to snow removal; requiring requests for proposals for multiple vendors to provide snow removal; establishing a time limit on the pilot program; providing that the Division of Highways has sole discretion in identifying the specific roads requiring maintenance under this pilot program; establishing liability; and providing for cancellation of snow removal contracts for cause.

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

Engrossed Committee Substitute for House Bill 2960, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Boley and Woelfel—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2960) passed with its House of Delegates amended title.

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

The Senate proceeded to the twelfth order of business.

Remarks were made Senator Helton.

Thereafter, at the request of Senator Rose, and by unanimous consent, the remarks by Senator Helton were ordered printed in the Appendix to the Journal.

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 BOULEVARD, EAST
CHARLESTON, WV 25305-0800
304-357-7800

April 11, 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 President of the Senate and the Speaker of the House of Delegates, has been examined and found truly enrolled:

Com. Sub. for S. B. 810, Clarifying requirements for administration of anesthesia and chronic pain practice by certain licensed nurses.

This bill is presented to you on this day, April 11, 2025.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lee Cassis".

Lee Cassis
Clerk of the Senate

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

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

On motion of Senator Martin, at 8 p.m., the Senate adjourned until tomorrow, Saturday, April 12, 2025, at 11 a.m.

SATURDAY, APRIL 12, 2025

The Senate met at 11:29 a.m.

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

Prayer was offered by Bishop Joe Thomas, Nondenominational Fellowship Pentecostal Ministries, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by Anna Payne, Student Intern for Senate Minor Committees.

Pending the reading of the Journal of Friday, April 11, 2025,

At the request of Senator Grady, 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.

At the request of Senator Martin, and by unanimous consent, the provisions of Rule 54 of the Rules of the Senate, relating to persons entitled to the privileges of the floor, were suspended in order to grant family members of the Senators privileges of the floor for the day.

At the request of Senator Boley, unanimous consent being granted, the special order of business set for this position on the calendar (*consideration of Senate Executive Message I-J*) was postponed and made a special order of business at 3 p.m. today.

At the request of Senator Boley, and by unanimous consent, the special order of business set for this position on the calendar (*consideration of Senate Executive Message 5*) was postponed and made a special order of business at 3 p.m. today.

The Senate proceeded to the third order of business.

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

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

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

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

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

Eng. Com. Sub. for Senate Bill 275, Removing requirement school cooks or custodians have high school diploma or equivalent.

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

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

On page 1, after the enacting clause by striking out the remainder of the bill and inserting, in lieu thereof, the following:

ARTICLE 2. SCHOOL PERSONNEL.

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

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

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

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

"COUNTY BOARD OF EDUCATION

SERVICE PERSONNEL CONTRACT OF EMPLOYMENT

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

WITNESSETH, that whereas, at a lawful meeting of the Board of Education of the County of _____ held at the offices of said Board, in the City of _____, _____ County, West Virginia, on the _____ day of _____, ~~19~~ 20 ____, the Employee was duly hired

and appointed for employment as a (Job Classification) at (Place of Assignment) for the school year commencing _____ for the employment term and at the salary and upon the terms hereinafter set out.

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

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

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

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

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

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

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

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

(8) This contract shall be automatically terminated if the Employee is convicted under §61-8D-3 or §61-8D-5 of this code or comparable statute in any other state, of any criminal offense

that requires the Employee to register as a sex offender, or of any criminal offense which has as an element delivery or distribution of a controlled substance: *Provided*, That if the conviction resulting in automatic revocation pursuant to this section is overturned by any Court of this state or the United States, the Employee's contract shall be reinstated unless otherwise prohibited by law.

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

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

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

_____, (President, _____ County Board of Education) _____, (Secretary, _____ County Board of Education) _____, (Employee)"

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

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

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

On motion of Senator Martin, the Senate refused to concur in the foregoing House amendment to the bill (Eng. Com. Sub. for S. B. 275) and requested the House of Delegates to recede therefrom.

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

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

Eng. Com. Sub. for Senate Bill 325, Authorizing Department of Health to promulgate legislative rules.

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

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

A message from the Clerk of the House of Delegates announced the rejection by that body of

Eng. Com. Sub. for Senate Bill 488, Clarifying definition of electioneering.

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

Eng. Senate Bill 561, Relating to Uniform Special Deposits Act.

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 652, Expanding cardiac arrest provisions to be applicable to elementary schools.

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

Eng. Com. Sub. for Senate Bill 677, Increasing fees charged by Commissioner of Securities for each offering.

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

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

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

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect January 1, 2026, of

Eng. Com. Sub. for Senate Bill 800, Relating to insurance holding company systems.

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

Eng. Com. Sub. for Senate Bill 833, Excluding pharmaceutical medication from prior authorization gold card process.

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

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

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

Eng. House Bill 2120, Relating to forms and disclosures to the Ethics Commission.

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

Eng. Com. Sub. for House Bill 2167, Relating to public charter schools code provisions.

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

Eng. Com. Sub. for House Bill 2411, To provide and change graduation requirements and change duties relating to academic content standards.

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

Eng. Com. Sub. for House Bill 2528, To permit students in Christian schools at the elementary and middle school level to participate in county level sport tournaments.

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

Eng. House Bill 2742, Relating to creating limited waiver from certificate of public convenience and necessity requirement for certain water or sewer services projects.

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

Eng. House Bill 3349—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance

in the State Fund, State Excess Lottery Revenue Fund, by adding a new item of appropriation to the Department of Human Services, fund 5365, fiscal year 2025, organization 0511 for the fiscal year ending June 30, 2025.

At the request of Senator Martin, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Martin, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, 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.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 3349 was then 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 elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3349) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, 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. H. B. 3349) takes effect from passage.

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 passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 3352—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Human Services, Bureau for Medical Services – Policy and Programming, fund 0484, fiscal year 2025, organization 0511, by adding a new item of appropriation for the fiscal year ending June 30, 2025.

At the request of Senator Martin, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Martin, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, 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.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 3352 was then 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 elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3352) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, 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. H. B. 3352) takes effect from passage.

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 passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 3359—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, State Excess Lottery Revenue Fund, by decreasing an existing item of appropriation to the Economic Development Authority – Economic Development Project Fund, fund 9065, fiscal year 2025, organization 0944, and increasing an existing item of appropriation to the Department of Human Services, fund 5365, fiscal year 2025, organization 0511 for the fiscal year ending June 30, 2025.

At the request of Senator Martin, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Martin, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, 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.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 3359 was then 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 elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3359) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, 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. H. B. 3359) takes effect from passage.

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 passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 3371—A Bill supplementing and amending appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by decreasing an existing item of appropriation to the Department of Health Facilities, Health Facilities – Welch Community Hospital, fund 0412, fiscal year 2025, organization 0512, and increasing an existing item of appropriation to the Department of Health, Office of the Inspector General, fund 0437, fiscal year 2025, organization 0513 by supplementing and amending appropriations for the fiscal year ending June 30, 2025.

At the request of Senator Martin, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Martin, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, 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.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 3371 was then 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 elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3371) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, 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. H. B. 3371) takes effect from passage.

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 Senate amended title, passage as amended, of

Eng. House Bill 3373, To extend and revise the sunset provision in the Tourism Development Act to December 31, 2030.

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

Eng. House Bill 3520—A Bill expiring funds to the surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2025, in the amount of \$1,000,000 from the Fire Commission – Fire Marshal Fees, fund 6152, fiscal year 2025, organization 0619; in the amount of \$7,210 from the Office of Energy – Energy Assistance, fund 3010, fiscal year 2025, organization 0307; in the amount of \$435,000 from the Division of Natural Resources – Planning and Development Division, fund 3205, fiscal year 2025, organization 0310; in the amount of \$750,000 from the Division of Labor – Elevator Safety Fund, fund 3188, fiscal year 2025, organization 0308; in the amount of \$250,000 from the Contractor Licensing Board Fund, fund 3187, fiscal year 2025, organization 0951; in the amount of \$500,000 from the Division of General Services, fund 2461, fiscal year 2025, organization 0211; in the amount of \$3,000,000 from the Criminal Law Research Center Fund, fund 2420, fiscal year 2025, organization 0221; in the amount of \$20,000,000 from the Treasurer's Office, fund 8692, fiscal year 2025, organization 1300; in the amount of \$30,000,000 from the Insurance Commissioner – Insurance Commission Fund, fund 7152, fiscal year 2025, organization 0704; and in the amount of \$250,000 from the Division of Labor – Bedding and Upholstery Fund, fund 3198, fiscal year 2025, organization 0308, and making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as a surplus balance in the State Fund, General Revenue, to the Joint Expenses, fund 0175, fiscal year 2025, organization 2300, by supplementing and amending the appropriations for the fiscal year ending June 30, 2025.

At the request of Senator Martin, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Martin, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, 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.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 3520 was then read a third time.

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 third reading calendar.

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

Eng. House Bill 3521—A Bill expiring funds to the surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2025, in the amount of \$1,192,452 from the Attorney General – Consumer Protection Recovery Fund, fund 1509, fiscal year 2025, organization 1500, and making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as a surplus balance in the State Fund, General Revenue, to the Department of Health – Central Office, fund 0407, fiscal year 2025, organization 0506, by

supplementing and amending the appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for House Bill 2347, Relating generally to the creation of mental hygiene regions by the Supreme Court of Appeals.

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 House Bill 2347 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, 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. 2347) passed.

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

Eng. Com. Sub. for House Bill 2347—A Bill to amend and reenact §27-5-2 and §27-5-4 of the Code of West Virginia, 1931, as amended, relating to involuntary custody and involuntary hospitalization; providing additional grounds for application for involuntary hospitalization; modifying evidentiary standards for

imposing civil liability on mental health professionals rendering services in mental hygiene cases; requiring individual to agree to voluntary treatment before being removed from involuntary hospitalization prior to probable cause hearing; providing additional grounds for satisfaction of probable cause and involuntary hospitalization standards in mental hygiene proceedings; providing name of amendments; permitting hospitalization of individuals with substance use disorder under certain circumstances; providing prohibition on consideration of refusal of substance abuse services when considering individual's judgment; providing for dismissal of involuntary hospitalization proceedings under certain circumstances; setting forth additional required findings by the chief medical officer; providing for restoration of firearm possession rights under certain circumstances; and providing for removal of individual from mental health registry under certain circumstances.

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

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

On motion of Senator Martin, at 11:59 a.m., the Senate recessed until 1:30 p.m. today.

The Senate reconvened at 3:18 p.m. and, at the request of Senator Stuart, unanimous consent being granted, returned to the second order of business and the introduction of guests.

The Senate again proceeded to the third order of business.

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

Eng. Com. Sub. for Senate Bill 128, Preventing courts from ordering services at higher rate than Medicaid.

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

Eng. Com. Sub. for Senate Bill 299, Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment.

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

Eng. Senate Bill 856, Removing certain reporting requirements to Joint Committee on Government and Finance.

The Senate proceeded to the fourth order of business.

Senator Boley, from the Committee on Confirmations, submitted the following report, which was received:

Your Committee on Confirmations has had under consideration

Senate Executive Message 1-J, dated January 10, 2025, requesting confirmation by the Senate of the nominations mentioned therein. The following list of names from Executive Message 1-J is submitted:

1. For Secretary, West Virginia Department of Homeland Security, Robert Cunningham, Winfield, Putnam County, to serve at the will and pleasure of the Governor.

2. For Member, West Virginia Board of Education, Cathy Justice, Lewisburg, Greenbrier County, for the term ending November 4, 2033.

3. For Member, State Conservation Committee, Timothy W. VanReenen, Hillsboro, Pocahontas County, for the term ending September 6, 2026.

4. For Member, State Conservation Committee, Jerry L. Ours, Maysville, Grant County, for the term ending September 6, 2027.

5. For Member, State Conservation Committee, Douglas L. Cyphers, Mannington, Marion County, for the term ending September 6, 2025.

6. For Member, West Virginia Board of Medicine, Radhakrishna U. Kukkillaya, Charleston, Kanawha County, for the term ending September 30, 2029.

7. For Member, Housing Development Fund, Troy N. Giatras, Charleston, Kanawha County, for the term ending October 30, 2028.

8. For Member, Housing Development Fund, Lynne F. Gianola, Charleston, Kanawha County, for the term ending October 30, 2028.

9. For Member, Housing Development Fund, Robert L. Nistendirk, Charleston, Kanawha County, for the term ending October 30, 2028.

10. For Member, Environmental Quality Board, Charles C. Somerville, Huntington, Cabell County, for the term ending June 30, 2029.

11. For Member, Advanced Energy and Economic Corridor Authority, The Honorable Robert H. Plymale, Huntington, Wayne County, for the term ending June 30, 2029.

12. For Member, Advanced Energy and Economic Corridor Authority, The Honorable Chandler Swope, Bluefield, Mercer County, for the term ending June 30, 2029.

13. For Member, Surface Mine Board, Stephen Butler, French Creek, Upshur County, for the term ending June 30, 2029.

14. For Member, Southern West Virginia Community and Technical College Board of Governors, Brent Tomblin, Charleston, Kanawha County, for the term ending June 30, 2028.

15. For Member, Property Valuation Training and Procedures Commission, Jason Nettles, Chloe, Calhoun County, for the term ending June 30, 2026.

16. For Member, Property Valuation Training and Procedures Commission, Glen Irvan Johnson, Huntington, Cabell County, for the term ending June 30, 2028.

17. For Member, Property Valuation Training and Procedures Commission, Sarah F. Martin, Union, Monroe County, for the term ending June 30, 2028.

19. For Member, West Virginia Hope Scholarship Board, Alice Bonnell, Davisville, Wood County, for the term ending June 30, 2026.

20. For Member, West Virginia Hope Scholarship Board, Jamion Wolford, Kenna, Jackson County, for the term ending June 30, 2025.

21. For Member, Southern West Virginia Community and Technical College Board of Governors, Christopher Reynolds, Williamson, Mingo County, for the term ending June 30, 2028.

22. For Member, Board of Examiners in Counseling, Karen Bowling, Beckley, Raleigh County, for the term ending June 30, 2027.

23. For Inspector General, Office of the Inspector General within the Department of Homeland Security, The Honorable D. Michael Honaker, Lewisburg, Greenbrier County, for the term ending June 30, 2028.

24. For Member, First Foundation Board, Matthew L. Harvey, Shepherdstown, Jefferson County, for the term ending June 30, 2027.

25. For Member, Board of Coal Mine Health and Safety, J. Todd Moore, Fairview, Marion County, for the term ending June 30, 2026.

26. For Member, Fairmont State University Board of Governors, John DeVaul, Mannington, Marion County, for the term ending June 30, 2026.

27. For Member, Council for Community and Technical College Education, Tracy Karin Miller, Bridgeport, Harrison County, for the term ending December 20, 2026.

28. For Member, Council for Community and Technical College Education, Sandra Hamilton, Martinsburg, Berkeley County, for the term ending December 20, 2025.

29. For Member, Council for Community and Technical College Education, Joseph R. Oliverio, Belmont, Pleasants County, for the term ending December 20, 2026.

30. For Member, Council for Community and Technical College Education, Elizabeth A Manuel, Logan, Logan County, for the term ending December 20, 2028.

31. For Member, Southern West Virginia Community and Technical College Board of Governors, Mary J. Phipps, Chapmanville, Logan County, for the term ending June 30, 2026.

32. For Member, Board of Registration for Professional Engineers, Rodney D. Holbert, Mineral Wells, Wood County, for the term ending June 30, 2029.

33. For Member, Auctioneers Board of Review, Rocky A Peck, Parkersburg, Wood County, for the term ending January 1, 2027.

34. For Member, Auctioneers Board of Review, Katie Fitzsimmons, Cameron, Marshall County, for the term ending January 1, 2028.

35. For Member, Workers' Compensation Board of Review, Patricia A. Jennings, Huntington, Cabell County, for the term ending December 31, 2030.

36. For Member, West Virginia Public Energy Authority, Chris Hamilton, Elkview, Kanawha County, for the term ending June 30, 2027.

37. For Member, West Virginia Public Energy Authority, Jeffrey W. Allen, Hurricane, Putnam County, for the term ending June 30, 2028.

And reports the same back with the recommendation that the Senate do advise and consent to all of the nominations listed above.

Respectfully submitted,

Donna J. Boley,
Chair.

The time having arrived for the special order of business to consider the list of nominees for public office submitted by His Excellency, the Governor, the special order thereon was called by the President.

Thereupon, Senator Smith (Mr. President) laid before the Senate the following executive message:

Senate Executive Message 1-J, dated January 10, 2025
*(shown in the Senate Journal of Wednesday, February 12, 2025,
pages 63 to 66, inclusive).*

Senator Boley then moved that the Senate advise and consent to all of the executive nominations referred to in the foregoing report from the Committee on Confirmations, except the nomination of Joseph R. Oliverio to the Council for Community and Technical College Education (being nomination number 29 in Executive Message 1-J).

The question being on the adoption of Senator Boley's aforestated motion,

The roll was then taken; and

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, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's motion had prevailed and that all the executive nominations referred to in the foregoing report from the Committee on Confirmations, except the nomination of Joseph R. Oliverio to the Council for Community and Technical College Education (being nomination number 29 in Executive Message 1-J) had been confirmed.

Senator Boley then moved that the Senate advise and consent to the nomination of Joseph R. Oliverio to the Council for Community and Technical College Education (being nomination number 29 in Executive Message 1-J).

Prior to the call of the roll, at the request of Senator Oliverio, unanimous consent being granted, Senator Oliverio was excused from voting under Rule 43 of the Rules of the Senate.

The roll was then taken; and

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

The nays were: None.

Absent: None.

Excused from voting: Oliverio—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's

motion had prevailed and the nomination of Joseph R. Oliverio to the Council for Community and Technical College Education had been confirmed.

Consideration of Senate Executive Message 1-J having been concluded,

Senator Boley, from the Committee on Confirmations, submitted the following report, which was received:

Your Committee on Confirmations has had under consideration

Senate Executive Message 5, dated April 10, 2025, requesting confirmation by the Senate of the nominations mentioned therein. The following list of names from Executive Message 5 is submitted:

1. For Secretary, West Virginia Department of Administration, the Honorable Eric Householder, Martinsburg, Berkeley County, to serve at the will and pleasure of the Governor.

2. For Curator and Acting Secretary, West Virginia Department of Arts, Culture, and History, Ennis Smith, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.

3. For Secretary, West Virginia Department of Commerce, Dr. Matthew L. Herridge, Williamstown, Wood County, to serve at the will and pleasure of the Governor.

4. For Acting Secretary, West Virginia Department of Economic Development, Michael R. Graney, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.

5. For Secretary, West Virginia Department of Environmental Protection, Harold D. Ward, Lake, Logan County, to serve at the will and pleasure of the Governor.

6. For Secretary, West Virginia Department of Health, Dr. Arvinjit Singh, EdD, MBA, MPH, MS, F ACHE, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.

7. For Secretary, West Virginia Department of Human Services, Alex Mayer, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.

8. For Adjutant General, West Virginia National Guard, Major General James D. Seward, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.

9. For Acting Executive Director, West Virginia Parkways Authority, Parrish T. French, Winfield, Putnam County, to serve at the will and pleasure of the Governor.

10. For Acting Director, West Virginia Public Employee Insurance Agency, Jason A. Haught, Culloden, Putnam County, to serve at the will and pleasure of the Governor.

11. For Secretary, West Virginia Department of Revenue, the Honorable Eric Nelson Jr., Charleston, Kanawha County, to serve at the will and pleasure of the Governor.

12. For Superintendent, West Virginia State Police, James L. Mitchell, Mount Hope, Fayette County, to serve at the will and pleasure of the Governor.

13. For Secretary, West Virginia Department of Transportation, and Commissioner of the Division of Highways, Stephen Todd Rumbaugh P.E., Winifrede, Kanawha County, to serve at the will and pleasure of the Governor.

14. For Secretary, West Virginia Department of Tourism, Chelsea A. Ruby, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.

15. For Secretary, West Virginia Department of Veterans' Assistance, the Honorable Edward Ryan Kennedy, Clarksburg, Harrison County, to serve at the will and pleasure of the Governor.

16. For Commissioner, West Virginia Bureau of Senior Services, the Honorable Dianna Graves, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.

17. For Member, Southern West Virginia Community and Technical College Board of Governors, the Honorable Sonya M. Dingess Porter, Chapmanville, Logan County, for the term ending June 30, 2027.

18. For Member, Southern West Virginia Community and Technical College Board of Governors, Scotty Dingess, Chapmanville, Logan County, for the term ending June 30, 2026.

And reports the same back with the recommendation that the Senate do advise and consent to all of the nominations listed above.

Respectfully submitted,

Donna J. Boley,
Chair.

The time having arrived for the special order of business to consider the list of nominees for public office submitted by His Excellency, the Governor, the special order thereon was called by the President.

Thereupon, Senator Smith (Mr. President) laid before the Senate the following executive message:

Senate Executive Message 5, dated April 10, 2025 (*shown in the Senate Journal of Friday, April 11, 2025, pages 2202 to 2204, inclusive*).

Senator Boley then moved that the Senate advise and consent to all of the executive nominations referred to in the foregoing report from the Committee on Confirmations.

The question being on the adoption of Senator Boley's aforesated motion,

The roll was then taken; and

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, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's motion had prevailed and that all the executive nominations referred to in the foregoing report from the Committee on Confirmations had been confirmed.

Consideration of Senate Executive Message 5 having been concluded,

Without objection, the Senate returned 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 196, Lauren's Law.

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

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

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

**CHAPTER 60A. UNIFORM CONTROLLED
SUBSTANCES ACT.**

ARTICLE 4. OFFENSES AND PENALTIES.

§60A-4-401. Prohibited acts; penalties.

(a) Except as authorized by this act, it is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver a controlled substance.

Any person who violates this subsection with respect to:

(i) A controlled substance classified in Schedule I or II, which is a narcotic drug or which is methamphetamine, is guilty of a felony and, upon conviction thereof, may be imprisoned in a state correctional facility for not less than one year nor more than 15 years, or fined not more than \$25,000, or both fined and imprisoned: *Provided*, That any person who violates this section ~~knowing that~~ when the controlled substance classified in Schedule II is fentanyl, either alone or in combination with any other substance shall be fined not more than \$50,000, or be imprisoned in a state correctional facility for not less than 3 nor more than 15 years, or both fined and imprisoned;

(ii) Any other controlled substance classified in Schedule I, II, or III is guilty of a felony and, upon conviction thereof, may be imprisoned in a state correctional facility for not less than one year nor more than five years, or fined not more than \$15,000, or both fined and imprisoned;

(iii) A substance classified in Schedule IV is guilty of a felony and, upon conviction thereof, may be imprisoned in a state correctional facility for not less than one year nor more than three years, or fined not more than \$10,000, or both fined and imprisoned;

(iv) A substance classified in Schedule V is guilty of a misdemeanor and, upon conviction thereof, may be confined in jail for not less than six months nor more than one year, or fined not more than \$5,000, or both fined and confined: *Provided*, That for offenses relating to any substance classified as Schedule V in §60A-10-1 *et seq.* of this code, the penalties established in said article apply.

(b) Except as authorized by this act, it is unlawful for any person to create, deliver, or possess with intent to deliver, a counterfeit substance.

Any person who violates this subsection with respect to:

(i) A counterfeit substance classified in Schedule I or II, which is a narcotic drug, or methamphetamine, is guilty of a felony and, upon conviction thereof, may be imprisoned in a state correctional facility for not less than one year nor more than 15 years, or fined not more than \$25,000, or both fined and imprisoned;

(ii) Any other counterfeit substance classified in Schedule I, II, or III is guilty of a felony and, upon conviction thereof, may be imprisoned in a state correctional facility for not less than one year nor more than five years, or fined not more than \$15,000, or both fined and imprisoned;

(iii) A counterfeit substance classified in Schedule IV is guilty of a felony and, upon conviction thereof, may be imprisoned in a state correctional facility for not less than one year nor more than three years, or fined not more than \$10,000, or both fined and imprisoned;

(iv) A counterfeit substance classified in Schedule V is guilty of a misdemeanor and, upon conviction thereof, may be confined in jail for not less than six months nor more than one year, or fined not more than \$5,000, or both fined and confined: *Provided*, That for offenses relating to any substance classified as Schedule V in §60A-10-1 *et seq.* of this code, the penalties established in said article apply.

(c) It is unlawful for any person knowingly or intentionally to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this act. Any person who violates this subsection is guilty of a misdemeanor, and disposition may be made under §60A-4-407 of this code, subject to the limitations specified in said section, or upon conviction thereof,

the person may be confined in jail not less than 90 days nor more than six months, or fined not more than \$1,000, or both fined and confined: *Provided*, That notwithstanding any other provision of this act to the contrary, any first offense for possession of synthetic cannabinoids as defined by §60A-1-101(d)(32) of this code; 3,4-methylenedioxypyrovalerone (MPVD) and 3,4-methylenedioxypyrovalerone and/or mephedrone as defined in §60A-1-101(f) of this code; or less than 15 grams of marijuana, shall be disposed of under §60A-4-407 of this code.

(d) It is unlawful for any person knowingly or intentionally:

(1) To create, distribute, deliver, or possess with intent to distribute or deliver, an imitation controlled substance; or

(2) To create, possess, sell, or otherwise transfer any equipment with the intent that the equipment shall be used to apply a trademark, trade name, or other identifying mark, imprint, number, or device, or any likeness thereof, upon a counterfeit substance, an imitation controlled substance, or the container or label of a counterfeit substance or an imitation controlled substance.

(3) Any person who violates this subsection is guilty of a misdemeanor and, upon conviction thereof, may be confined in jail for not less than six months nor more than one year, or fined not more than \$5,000, or both fined and confined. Any person 18 years old or more who violates subdivision (1) of this subsection and distributes or delivers an imitation controlled substance to a minor child who is at least three years younger than that person is guilty of a felony and, upon conviction thereof, may be imprisoned in a state correctional facility for not less than one year nor more than three years, or fined not more than \$10,000, or both fined and imprisoned.

(4) The provisions of subdivision (1) of this subsection shall not apply to a practitioner who administers or dispenses a placebo.

(e) It is unlawful for any person knowingly or intentionally:

(1) To adulterate another controlled substance using fentanyl as an adulterant;

(2) To create a counterfeit substance or imitation controlled substance using fentanyl; or

(3) To cause the adulteration or counterfeiting or imitation of another controlled substance using fentanyl.

(4) Any person who violates this subsection is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for not less than three nor more than 15 years, or fined not more than \$50,000, or both fined and imprisoned.

(5) For purposes of this section:

(i) A controlled substance has been adulterated if fentanyl has been mixed or packed with it; and

(ii) Counterfeit substances and imitation controlled substances are further defined in §60A-1-101 of this code.

§60A-4-409. Prohibited acts – Transportation of controlled substances into state; penalties.

(a) Except as otherwise authorized by the provisions of this code, it is unlawful for any person to transport or cause to be transported into this state a controlled substance with the intent to deliver the same or with the intent to manufacture a controlled substance.

(b) Any person who violates this section with respect to:

(1) A controlled substance classified in Schedule I or II, which is a narcotic drug, ~~shall be~~ is guilty of a felony and, upon conviction thereof, may be imprisoned in the state correctional facility for not less than ~~one year~~ five years nor more than ~~15~~ 20 years, or fined not more than ~~\$25,000~~ \$50,000, or both ~~fined and imprisoned.~~ Provided, That any person who violates this section knowing that the controlled substance classified in Schedule II is fentanyl, either alone or in combination with any other substance shall be fined not more than \$50,000 or imprisoned in a state correctional facility for a definite term of not less than 10 nor more than 20 years, or both fined and imprisoned

(2) Any other controlled substance classified in Schedule I, II or III ~~shall be~~ is guilty of a felony and, upon conviction thereof, may be imprisoned in the state correctional facility for not less than one year nor more than 10 years, or fined not more than \$15,000, or both: *Provided*, That for the substance marijuana, as scheduled in §60A-2-204(d)(24) of this code, the penalty, upon conviction of a violation of this subsection, ~~shall be that~~ is the penalty set forth in subdivision (3) of this subsection.

(3) A substance classified in Schedule IV ~~shall be~~ is guilty of a felony and, upon conviction thereof, may be imprisoned in the state correctional facility for not less than one year nor more than five years, or fined not more than \$10,000, or both fined and imprisoned;

(4) A substance classified in Schedule V ~~shall be~~ is guilty of a misdemeanor and, upon conviction thereof, may be confined in jail for not less than six months nor more than one year, or fined not more than \$5,000, or both fined and imprisoned: *Provided*, That for offenses relating to any substance classified as Schedule V in §60A-10-1 *et seq.* of this code, the penalties established in ~~said~~ that article apply.

(c) Notwithstanding the provisions of subsection (b) of this section, any person violating or ~~causing a violation~~ attempting to violate the provisions of subsection (a) of this section involving one kilogram or more of heroin, ~~five kilograms~~ one kilogram or more of cocaine or cocaine base, 100 grams or more of phencyclidine, 10 grams or more of lysergic acid diethylamide, or 50 grams or more of methamphetamine or ~~500 grams of a substance or material containing a measurable amount of methamphetamine~~ five or more grams of fentanyl, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for ~~a determinate~~ an indeterminate sentence of not less than ~~two~~ 15 years nor more than 30 years. The sentence provided in this subsection is mandatory. A person convicted of an offense set forth in this subsection is not eligible for probation, home incarceration, or to have his or her sentence suspended for any reason.

(d) Notwithstanding the provisions of subsection (b) of this section, any person violating or ~~causing a violation~~ attempting to violate the provisions of subsection (a) of this section involving 100 but fewer than 1,000 grams of heroin, not less than ~~500~~ 100 but fewer than ~~5,000~~ 1,000 grams of cocaine or cocaine base, not less than 10 but fewer than ~~99~~ 100 grams of phencyclidine, not less than one but fewer than 10 grams of lysergic acid diethylamide, or not less than five but fewer than 50 grams of methamphetamine ~~or not less than 50 grams but fewer than 500 grams of a substance or material containing a measurable amount of methamphetamine, or one gram or more but less than five grams of fentanyl~~ is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for ~~a determinate~~ an indeterminate sentence of not less than ~~two~~ seven years nor more than 20 years.

(e) Notwithstanding the provisions of subsection (b) of this section, any person violating or attempting to violate the provisions of subsection (a) of this section involving not less than 10 grams nor more than 100 grams of heroin, not less than ~~50~~ 10 grams nor more than ~~500~~ 100 grams of cocaine or cocaine base, not less than two grams nor more than 10 grams of phencyclidine, not less than 200 micrograms nor more than one gram of lysergic acid diethylamide, or not less than ~~499 milligrams~~ one gram nor more than five grams of methamphetamine, ~~or not less than 20 grams nor more than 50 grams of a substance or material containing a measurable amount of methamphetamine or less than one gram of fentanyl~~ is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for ~~a determinate~~ an indeterminate sentence of not less than ~~two~~ five years nor more than ~~15~~ 20 years.

(f) The offenses established by this section ~~shall be~~ are in addition to and a separate and distinct offense from any other offense set forth in this code.

(g) For purposes of determining the weight of any controlled substance under this section, a mixture must contain only a detectable amount of a controlled substance for the entire mixture to be considered that controlled substance. If a mixture or substance contains more than one controlled substance, the weight

of the entire mixture or substance is assigned to the controlled substance that results in the greater offense penalty.

(h) Under this section, where the transportation into the state involves two or more controlled substances, the transportation into the state of each controlled substance shall be considered a separate and distinct offense unless the controlled substances are mixed together.

§60A-4-414. Conspiracy.

(a) Any person who willfully conspires with one or more persons to commit a felony violation of §60A-4-401 of this code, if one or more of such persons does any act to effect the object of the conspiracy, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for a determinate sentence of not less than two nor more than ~~ten~~ 10 years: *Provided*, That the provisions of this subsection are inapplicable to felony violations of §60A-4-401 of this code prohibiting the manufacture, delivery or possession with intent to manufacture or deliver marijuana.

(b) Notwithstanding the provisions of subsection (a) of this section, any person who willfully conspires with one or more persons to manufacture, deliver or possess with intent to manufacture or deliver one kilogram or more of heroin, ~~five kilograms~~ one kilogram or more of cocaine or cocaine base, 100 grams or more of phencyclidine, 10 grams or more of lysergic acid diethylamide, or 50 grams or more of methamphetamine, or ~~five hundred grams of a substance or material containing a measurable amount of methamphetamine~~ five grams or more of fentanyl, if one or more of such persons does any act to effect the object of the conspiracy, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for ~~a determinate~~ an indeterminate sentence of not less than ~~two~~ five years nor more than 30 years. The sentence provided in this subsection is mandatory. A person convicted of an offense set forth in this subsection is not eligible for probation, home incarceration, or to have his or her sentence suspended for any reason.

(c) Notwithstanding the provisions of subsection (a) of this section, any person who willfully conspires with one or more persons to manufacture, deliver, or possess with intent to manufacture or deliver not less than 100 but fewer than 1,000 grams of heroin, not less than ~~five hundred~~ 100 but fewer than ~~five thousand~~ 1,000 grams of cocaine or cocaine base, not less than 10 but fewer than 100 grams of phencyclidine, not less than one but fewer than 10 grams of lysergic acid diethylamide, or not less than five but fewer than 50 grams of methamphetamine, or ~~not less than fifty grams but fewer than five hundred grams of a substance or material containing a measurable amount of methamphetamine~~ one gram or more but less than five grams of fentanyl, if one or more of such persons does any act to effect the object of the conspiracy, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for ~~a determinate~~ an indeterminate sentence of not less than ~~two~~ three years nor more than 20 years.

(d) Notwithstanding the provisions of subsection (a) of this section, any person who willfully conspires with one or more persons to manufacture, deliver, possess with intent to manufacture or deliver not less than 10 grams nor more than 100 grams of heroin, not less than ~~50~~ 10 grams nor more than ~~500~~ 100 grams of cocaine or cocaine base, not less than two grams nor more than 10 grams of phencyclidine, not less than 200 micrograms nor more than one gram of lysergic acid diethylamide, or not less ~~than 499 milligrams~~ one gram nor more than five grams of methamphetamine, ~~or not less than 20 grams nor more than 50 grams of a substance or material containing a measurable amount of methamphetamine~~ or less than one gram of fentanyl, if one or more of such persons does any act to effect the object of the conspiracy, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for ~~a determinate~~ an indeterminate sentence of not less than two years nor more than 15 years.

(e) The trier of fact shall determine the quantity of the controlled substance attributable to the defendant beyond a reasonable doubt based on evidence adduced at trial.

(f) The determination of the trier of fact as to the quantity of controlled substance attributable to the defendant in a charge under this section may include all of the controlled substances manufactured, delivered, or possessed with intent to deliver or manufacture by other participants or members of the conspiracy.

(g) For purposes of determining the weight of any controlled substance under this section, a mixture must contain only a detectable amount of a controlled substance for the entire mixture to be considered that controlled substance. If a mixture or substance contains more than one controlled substance, the weight of the entire mixture or substance is assigned to the controlled substance that results in the greater offense penalty.

(h) Under this section, where the conspiracy involves two or more controlled substances, each controlled substance shall be considered a separate and distinct offense unless the controlled substances are mixed together.

~~(g)~~(i) Offenses in this section proscribing conduct involving lesser quantities are lesser included offenses of offenses proscribing conduct involving larger quantities.

~~(h)~~(j) A person may be charged under the provisions of ~~§61-10-61~~ §61-10-31 of this code for conduct that is charged under this section.

~~(k) Nothing in this section may be construed to place any limitation whatsoever upon alternative sentencing options available to a court.~~

§60A-4-416. Drug delivery resulting in death; failure to render aid.

(a)(1) Any person who knowingly and willfully delivers a controlled substance or counterfeit controlled substance, without receiving or accepting money or any other thing of value, in violation of the provisions of section four hundred one, article four of this chapter §60A-4-401 of this code for an illicit purpose and the use, ingestion or consumption of the controlled substance or counterfeit controlled substance alone or in combination with one

or more other controlled substances, proximately causes the death of a person using, ingesting or consuming the controlled substance, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for a determinate sentence of not less than three nor more than ~~fifteen~~ 15 years.

(2) Any person who knowingly and willfully delivers a controlled substance or counterfeit controlled substance in exchange for money or any other thing of value in violation of the provisions of §60A-4-401 of this code for an illicit purpose and the use, ingestion or consumption of the controlled substance or counterfeit controlled substance alone or in combination with one or more other controlled substances, proximately causes the death of a person using, ingesting or consuming the controlled substance, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for a determinate sentence of not less than ten nor more than 40 years. A person imprisoned pursuant to the provisions of this subdivision is not eligible for parole prior to having served a minimum of 10 years of his or her sentence.

(b) Any person who, while engaged in the illegal use of a controlled substance with another, ~~who~~ knowingly fails to seek medical assistance for ~~such~~ the other person when the other person suffers an overdose of the controlled substance or suffers a significant adverse physical reaction to the controlled substance and the overdose or adverse physical reaction proximately causes the death of the other person, is guilty of a felony and, upon conviction thereof, shall be imprisoned for a determinate sentence of not less than ~~one year~~ two years nor more than ~~five~~ 10 years. A person imprisoned pursuant to the provisions of this section is not eligible for parole prior to having served a minimum of two years of his or her sentence.

(c) The sentence provided in subdivision (2), subsection (a) of this section is mandatory. A person convicted of an offense set forth in subdivision (2), subsection (a) of this section is not eligible for probation, home incarceration, or to have his or her sentence suspended for any reason.

(d) As used in this section:

(1) The phrase "engaged in illegal use of a controlled substance with another person" means being in the physical presence of a person engaged in illegal drug use and participating with him or her in illegal drug use, or while in the presence of a person engaged in illegal drug use knowingly facilitating illegal drug use by the other person so engaged.

(2) "Seek medical assistance" means contacting the 9-1-1 emergency system, a poison control facility, any type of first responder, a medical facility or medical professional capable of treating an overdose, and in the case of an opioid overdose, to administer or cause the administration of a commercially produced medically recognized opioid antagonist.

(e) The revisions to subsections (a), (b), (c), and (d) of this section enacted during the 2025 regular legislative session shall be known as Lauren's Law.

§60A-4-419. Drug kingpin.

(a) For purposes of this section, "drug kingpin" means an organizer, supervisor, financier, or manager who acts as a coconspirator in a conspiracy to manufacture, distribute, dispense, transport in, or bring into the State of West Virginia a controlled dangerous substance.

(b)(1) Notwithstanding the provisions of §60A-4-414 of this code, a drug kingpin who conspires to manufacture, distribute, dispense, transport in, or bring into the State of West Virginia a controlled dangerous substance in an amount listed in §60A-4-414(b) of this code is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for an indeterminate sentence of not less than 10 nor more than 40 years and fined not more than \$100,000.

(2) The sentence provided in this section is mandatory. A person convicted of an offense set forth in this section is not eligible for probation, home incarceration, or to have his or her sentence suspended for any reason.

(c) It is not a defense to a prosecution under this section that the controlled substance was brought into or transported in the State of West Virginia solely for ultimate distribution or dispensing in another jurisdiction.

(d) The offenses set forth in this section are in addition to and separate and distinct from any other offenses set forth in this code.

CHAPTER 61. CRIMES AND THEIR PUNISHMENT.

ARTICLE 11. GENERAL PROVISIONS CONCERNING CRIMES.

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

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

(1) §60A-4-401(a)(i) and §60A-4-401(a)(ii);

(2) §60A-4-406;

(3) §60A-4-409(b)(1), ~~and~~ §60A-4-409(b)(2); §60A-4-409(c), §60A-4-409(d), and §60A-4-409(e);

(4) §60A-4-411;

(5) §60A-4-414;

(6) §60A-4-415;

(7) §60A-4-416(a);

(8) §60A-4-419;

~~(8)(9)~~ §61-2-1;

~~(9)(10)~~ §61-2-4;

~~(10)(11)~~ §61-2-7;

- ~~(11)~~(12) §61-2-9(a);
- ~~(12)~~(13) §61-2-9a(d) and §61-2-9a(e);
- ~~(13)~~(14) §61-2-9b;
- ~~(14)~~(15) §61-2-9c;
- ~~(15)~~(16) §61-2-9d;
- ~~(16)~~(17) §61-2-10;
- ~~(17)~~(18) §61-2-10b(b) and §61-2-10b(c);
- ~~(18)~~(19) Felony provisions of §61-2-10b(d);
- ~~(19)~~(20) §61-2-12;
- ~~(20)~~(21) Felony provisions of §61-2-13;
- ~~(21)~~(22) §61-2-14;
- ~~(22)~~(23) §61-2-14a(a) and §61-2-14a(d);
- ~~(23)~~(24) §61-2-14c;
- ~~(24)~~(25) §61-2-14d(a) and §61-2-14d(b);
- ~~(25)~~(26) §61-2-14f;
- ~~(26)~~(27) §61-2-14h(a), §61-2-14h(b), and §61-2-14h(c);
- ~~(27)~~(28) §61-2-16a(a) and §61-2-16a(b);
- ~~(28)~~(29) Felony provisions of §61-2-16a(c);
- ~~(29)~~(30) §61-2-28(d);
- ~~(30)~~(31) §61-2-29(d) and §61-2-29(e);
- ~~(31)~~(32) §61-2-29a;
- ~~(32)~~(33) §61-3-1;

~~(33)~~(34) §61-3-2;
~~(34)~~(35) §61-3-3;
~~(35)~~(36) §61-3-4;
~~(36)~~(37) §61-3-5;
~~(37)~~(38) §61-3-6;
~~(38)~~ (39) §61-3-7;
~~(39)~~ (40) §61-3-11;
~~(40)~~(41) Felony violation of §61-3-12;
~~(41)~~(42) §61-3-13(a);
~~(42)~~(43) Felony violation of §61-3-18;
~~(43)~~(44) Felony violation of §61-3-19;
~~(44)~~(45) Felony violation of §61-3-20;
~~(45)~~(46) Felony violation of §61-3-20a;
~~(46)~~ 47 Felony violation of §61-3-21;
~~(47)~~(48) §61-3-22;
~~(48)~~(49) Felony violation of §61-3-24;
~~(49)~~(50) Felony violation of §61-3-24a;
~~(50)~~(51) §61-3-27;
~~(51)~~(52) §61-3-54;
~~(52)~~(53) §61-3C-14b;
~~(53)~~(54) §61-3E-5;
~~(54)~~(55) Felony violation of §61-5-10;

~~(55)(56) §61-5-17(b), §61-5-17(f), §61-5-17(h), and §61-5-17(i); Felony provisions of §61-5-17;~~

~~(56)(57)~~ §61-5-27;

~~(57)(58)~~ §61-6-24;

~~(58)(59)~~ Felony provisions of §61-7-7;

~~(59)(60)~~ §61-7-12;

~~(60)(61)~~ §61-7-15;

~~(61)(62)~~ §61-7-15a;

~~(62)(63)~~ §61-8-12;

~~(63)(64)~~ §61-8-19(b);

~~(64)(65)~~ §61-8A-2;

~~(65)(66)~~ §61-8A-4;

~~(66)(67)~~ §61-8A-5;

~~(67)(68)~~ §61-8B-3;

~~(68)(69)~~ §61-8B-4;

~~(69)(70)~~ §61-8B-5;

~~(70)(71)~~ §61-8B-7;

~~(71)(72)~~ §61-8B-10;

~~(72)(73)~~ §61-8B-11b;

~~(73)(74)~~ §61-8C-2;

~~(74)(75)~~ §61-8C-3;

~~(75)(76)~~ §61-8C-3a;

~~(76)(77)~~ §61-8D-2;

~~(77)~~(78) §61-8D-2a;

~~(78)~~(79) §61-8D-3;

~~(79)~~(80) §61-8D-3a;

~~(80)~~(81) §61-8D-4;

~~(81)~~(82) §61-8D-4a;

~~(82)~~(83) §61-8D-5;

~~(83)~~(84) §61-8D-6;

~~(84)~~(85) §61-10-31;

~~(85)~~(86) §61-11-8;

~~(86)~~(87) §61-11-8a;

~~(87)~~(88) §61-14-2; and

~~(88)~~(89) §17C-5-2(b), driving under the influence causing death.

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

(c) Notwithstanding any provision of this code to the contrary, when any person is convicted of first degree murder or second degree murder or a violation of §61-8B-3 of this code and it is determined, as provided in §61-11-19 of this code, that the person

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

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

CHAPTER 62. CRIMINAL PROCEDURE.

ARTICLE 12. PROBATION AND PAROLE.

§62-12-2. Eligibility for probation.

(a) All persons who are found guilty of or plead guilty to any felony, the maximum penalty for which is less than life imprisonment, and all persons who are found guilty of or plead guilty to any misdemeanor are eligible for probation, notwithstanding the provisions of §61-11-18 and §61-11-19 of this code: *Provided*, That persons convicted of offenses set forth in §60A-4-409(c), §60A-4-414(b), §60A-4-416(a)(2), and §60A-4-419 are not eligible for probation.

(b) The provisions of subsection (a) of this section to the contrary notwithstanding, any person who commits or attempts to commit a felony with the use, presentment, or brandishing of a firearm is not eligible for probation. Nothing in this section may apply to an accessory before the fact or a principal in the second degree who has been convicted as if he or she were a principal in the first degree if, in the commission of or in the attempted commission of the felony, only the principal in the first degree used, presented, or brandished a firearm.

(c)(1) The existence of any fact which would make any person ineligible for probation under subsection (b) of this section because of the commission or attempted commission of a felony with the use, presentment, or brandishing of a firearm may not be applicable unless the fact is clearly stated and included in the indictment or presentment by which that person is charged and is either:

(A) Found by the court upon a plea of guilty or nolo contendere;

(B) Found by the jury, if the matter is tried before a jury, upon submitting to the jury a special interrogatory for that purpose; or

(C) Found by the court, if the matter is tried by the court, without a jury.

(2) The amendments to this subsection adopted in the year 1981:

(A) Apply to all applicable offenses occurring on or after August 1 of that year;

(B) Apply with respect to the contents of any indictment or presentment returned on or after August 1 of that year irrespective of when the offense occurred;

(C) Apply with respect to the submission of a special interrogatory to the jury and the finding to be made thereon in any case submitted to the jury on or after August 1 of that year or to the requisite findings of the court upon a plea of guilty or in any case tried without a jury: *Provided*, That the state shall give notice in

writing of its intent to seek that finding by the jury or court, as the case may be, which notice shall state with particularity the grounds upon which the finding is sought as fully as such grounds are otherwise required to be stated in an indictment, unless the grounds therefor are alleged in the indictment or presentment upon which the matter is being tried; and

(D) May not apply with respect to cases not affected by the amendment and in those cases the prior provisions of this section shall apply and be construed without reference to the amendment.

Insofar as the amendments relate to mandatory sentences without probation, all matters requiring that sentence shall be proved beyond a reasonable doubt in all cases tried by the jury or the court.

(d) For the purpose of this section, the term "firearm" means any instrument which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive, gunpowder, or any other similar means.

(e) Any person who has been found guilty of, or pleaded guilty to, a violation of §61-3C-14b, §61-8-12, §61-8A-1 *et seq.*, §61-8B-1 *et seq.*, §61-8C-1 *et seq.*, or §61-8D-5 of this code may only be eligible for probation after undergoing a physical, mental, and psychiatric or psychological study and diagnosis which shall include an ongoing treatment plan requiring active participation in sexual abuse counseling at a mental health facility or through some other approved program: *Provided*, That nothing disclosed by the person during that study or diagnosis may be made available to any law-enforcement agency or other party without that person's consent, or admissible in any court of this state, unless the information disclosed indicates the intention or plans of the probationer to do harm to any person, animal, institution, or property, in which case the information may be released only to those persons necessary for protection of the person, animal, institution, or property.

Within 90 days of the effective date of this section as amended and reenacted during the first extraordinary session of the

Legislature, 2006, the Secretary of the Department of Human Services shall propose rules and emergency rules for legislative approval in accordance with §29A-3-1 *et seq.* of this code, establishing qualifications for sex offender treatment programs and counselors based on accepted treatment protocols among licensed mental health professionals.

(f) Any person who has been convicted of a violation of §61-8B-1 *et seq.*, §61-8C-1 *et seq.*, §61-8D-5, §61-8D-6, §61-2-14, §61-8-12, and §61-8-13 of this code, or of a felony violation involving a minor of §61-8-6 or §61-8-7 of this code, or of a similar provision in another jurisdiction, shall register upon release on probation. Any person who has been convicted of an attempt to commit any of the offenses set forth in this subsection shall also be registered upon release on probation.

(g) The probation officer shall within three days of release of the offender send written notice to the State Police of the release of the offender. The notice shall include:

- (1) The full name of the person;
- (2) The address where the person shall reside;
- (3) The person's Social Security number;
- (4) A recent photograph of the person;
- (5) A brief description of the crime for which the person was convicted;
- (6) Fingerprints; and
- (7) For any person determined to be a sexually violent predator as defined in §15-12-2a of this code, the notice shall also include:
 - ~~(i)~~(A) Identifying factors, including physical characteristics;
 - ~~(ii)~~(B) A history of the offense; and
 - ~~(iii)~~(C) Documentation of any treatment received for the mental abnormality or personality disorder.;

And,

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

Eng. Com. Sub. for Senate Bill 196—A Bill to amend and reenact §60A-4-401, §60A-4-409, §60A-4-414, §60A-4-416, §61-11-8, and §62-12-2 of the Code of West Virginia, 1931, as amended, and to amend the code by adding thereto a new section, designated §60A-4-419, relating to controlled substances violations; clarifying certain requirements for the enhanced sentencing of crimes involving fentanyl; increasing sentences for certain controlled substances offenses; modifying the weight of certain controlled substances for purposes of sentencing; making certain offenses ineligible for suspension or probation, or alternative sentencing; clarifying the offense of drug delivery resulting in death; creating a separate offense for drug delivery in exchange for money or any other thing of value resulting in death; modifying the penalties for failure to render aid in certain circumstances; creating definitions related to the offense of failure to render aid; creating a new offense for conspiracy involving a drug kingpin; creating a definition of drug kingpin; clarifying certain procedures for prosecution of a drug kingpin; clarifying the penalty where a detectable amount of controlled substances is found in certain circumstances for purposes of weight; setting forth a method for measurement where more than one controlled substance is in a mixture; modifying sentences for certain offenses; updating list of offenses related to controlled substance that are qualifying offenses for recidivist sentencing enhancements; declaring certain offenses to be ineligible for probation; and creating criminal penalties.

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

Engrossed Committee Substitute for Senate Bill 196, 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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

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. 196) 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. Senate Bill 280, Displaying official US motto in public schools.

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, after the enacting clause by striking out the remainder of the bill and inserting, in lieu thereof, the following:

CHAPTER 18. EDUCATION.

ARTICLE 9H. DISPLAY OF NATIONAL MOTTO.

§18-9H-1. Display of the National Motto in public schools.

(a) A public elementary or secondary school shall display in a conspicuous location within a common area of the main building of the school that is accessible to the public, and may also display in a similar location in common areas of in other buildings of the school, a durable poster or framed copy of the United States national motto, "In God We Trust": *Provided*, That the poster or framed copy of the national motto described in this section is a minimum of 8.5 by 11 inches, and shall contain a representation of the United States flag centered under the national motto and may not depict any other words, images, or other information.

(b) A public elementary or secondary school may accept and use private donations for the purposes of meeting the provisions of subsection (a) of this section. No public funds may be used for this purpose.

(c) Notwithstanding any other provision of code to the contrary, this section applies to public charter schools authorized pursuant to §18-5G-1 *et seq.*

CHAPTER 18B. HIGHER EDUCATION.

ARTICLE 14. MISCELLANEOUS.

§18B-14-12. Display of the National Motto in institutions of higher education.

(a) A state institution of higher education, as defined by §18B-1-2 of this code, shall display in a conspicuous location within a common area of the main building of the institution of higher education that is accessible to the public, and may also display in a similar location in common areas of other buildings of the institution of higher education, a durable poster or framed copy of the United States national motto, "In God We Trust": *Provided*, That the poster or framed copy of the national motto described in this section is a minimum of 8.5 by 11 inches, and shall contain a representation of the United States flag centered under the national motto and may not depict any other words, images, or other information.

(b) An institution of higher education may accept and use private donations for the purposes of meeting the provisions of subsection (a) of this section. No public funds may be used for this purpose.;

And,

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

Eng. Senate Bill 280—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-9H-1; and to amend the code by adding a new article, designated §18B-14-12, relating to requiring public elementary and secondary schools and state institutions of higher education to display in a conspicuous location within a common area of the main building or similar location in another building a durable poster or framed copy of the United States motto, "In God We Trust"; imposing requirements for the durable poster or framed copy; making the requirements subject to donation; and applying requirement to public charter schools.

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

Engrossed Senate Bill 280, 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, 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)—33.

The nays were: Garcia—1.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 280) passed with its House of Delegates amended title.

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

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

Eng. Com. Sub. for Senate Bill 503, Allowing sheriffs to appoint more than one chief deputy with consent of county commission.

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

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

On page 1, after the enacting clause, by striking out everything after the enacting clause and inserting in lieu thereof the following:

**ARTICLE 3. DEPUTY OFFICERS AND CONSERVATORS
OF THE PEACE.**

§6-3-1. Appointment of deputies and local conservators of the peace; powers and duties; compensation; vacating appointment of deputy sheriff; removal of conservators.

(a) (1) The clerk of the Supreme Court of Appeals, or of any circuit, criminal, common pleas, intermediate or county ~~court~~ commission, or of any tribunal established by law in lieu thereof, may, with the consent of the court, or such tribunal, duly entered of record, appoint any person or persons his or her deputy or deputies.

(2) A sheriff, surveyor of lands, or assessor may, with the consent of the county ~~court~~ commission duly entered of record,

appoint any person or persons his or her deputy or deputies: Provided, That the sheriff may have and appoint more than one chief deputy.

(3) A sheriff, when in the opinion of the judge of the circuit court the public interest requires it, may, with the assent of ~~said court~~ the commission, duly entered of record, appoint any person or persons his or her deputy or deputies to perform any temporary service or duty.

(4) Each deputy so appointed shall take the same oath of office required of his or her principal, and may, during his or her continuance in office, perform and discharge any of the official duties of his or her principal, and any default or misfeasance in office of the deputy shall constitute a breach of the conditions of the official bond of his or her principal.

(5) A sheriff in any county in which there are more than four deputies shall devote his or her full time to the performance of the services or duties required by law of ~~such the~~ sheriff, and ~~he the~~ sheriff shall may not receive any compensation or reimbursement, directly or indirectly, from any person, firm or corporation for the performance of any private or public services or duties: *Provided,* That any such sheriff may retain or make any investment and receive income therefrom, unless ~~such the~~ investment is otherwise prohibited by law or will impair his or her independence of judgment in the exercise of, or might reasonably tend to conflict with the proper discharge of, the services or duties of his or her office. A sheriff in any county in which there are four or fewer deputies, or a deputy sheriff in any county irrespective of the number of deputies, need not devote his or her full time to the services or duties of his or her office as sheriff or his or her employment as deputy sheriff, as the case may be; but any such sheriff or deputy sheriff ~~shall may~~ not engage in any business or transaction, accept other employment or make any investment which is otherwise prohibited by law or which will impair his or her independence of judgment in the exercise of, or might reasonably tend to conflict with the proper discharge of, the services or duties of his or her office as sheriff or his or her employment as deputy sheriff, as the case may be. A sheriff and his

or her deputies in any county, irrespective of the number of deputies, ~~shall~~ may receive for the performance of their public services and duties no compensation or remuneration except such as may be regularly provided and paid out of public funds to the amount and in the manner provided by law. No sheriff or deputy sheriff in any county, irrespective of the number of deputies, may receive, directly or indirectly, any gift or donation from any person, firm or corporation.

(6) Except as hereinafter expressly provided by subsection (b) of this section no sheriff ~~shall~~ may appoint or continue the appointment of any deputy contrary to the provisions hereof. Any sheriff or deputy sheriff who shall violate any of the provisions of this section ~~shall be~~ is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$500 nor more than \$5,000, or confined in jail not to exceed one year, or both, ~~in the discretion of the court~~ fined and confined.

(7) Circuit courts shall have jurisdiction in equity and mandamus, and the Supreme Court of Appeals shall have jurisdiction in mandamus, upon the filing of a petition by the prosecuting attorney, the Attorney General, or any three or more citizens of the county, to require any sheriff and the county ~~court~~ commission to vacate the appointment of any deputy, the appointment of which is made or continued in violation of the provisions hereof. Any such proceeding may be instituted and prosecuted by the Attorney General either in the circuit court of Kanawha county or in the county for which ~~such~~ the appointment was made.

(b) (1) Any resident or group of residents of any unincorporated community, as hereinafter defined, may petition the sheriff for the appointment of a local conservator of the peace and ~~such~~ the sheriff, when in his or her opinion the public interests require it, may with the assent of ~~said~~ county ~~court~~ commission and the judge of the circuit court duly entered of record, either in term or vacation of any such court, appoint any person or persons a local conservator or conservators of the peace to perform the duties of a conservator of the peace outside of any incorporated city, town or village. No person ~~shall~~ may be appointed ~~such~~ local conservator of the peace

who has not been a bona fide resident and taxpayer of the county for at least one year prior to his or her appointment. ~~Such~~ The local conservator of the peace during his or her continuance in office, may perform and discharge any of the official duties of the sheriff, subject nevertheless to the provisions of this section. No local conservator so appointed ~~shall~~ may be subject to the direction or control of any person other than his or her principal and he or she ~~shall~~ may not perform any services or duties, either private or public, except the duties required by law of conservators of the peace pursuant to the provisions hereof, for any person, firm, or corporation. No such local conservator ~~shall~~ may be entitled to collect or receive any fees provided by law to be paid to the sheriff or to a deputy sheriff, but all fees provided by law for the sheriff, when such duties and services are rendered by ~~such~~ the local conservator, shall be paid to the sheriff as regular collections of the sheriff's office. The local conservator shall be paid for the public services performed by him or her a salary of not less than \$75 per month out of the county treasury from a fund to be paid into ~~such~~ the treasury by a resident or the residents of the community for which he or she is appointed, for the sole purpose of compensating ~~such~~ the local conservator or conservators and no such local conservator ~~shall~~ may receive any other compensation, directly or indirectly, from any person, firm, or corporation, for any private or public service, except the salary payable to him or her for his or her public services and duties and from such fund, except that he or she shall be entitled to witness and mileage fees when a witness in a court of record. Each local conservator so appointed shall take the same oath of office required of his or her principal and any default or misfeasance in the office of such local conservator shall constitute a breach of the conditions of the official bond of his or her principal.

(2) When the sheriff ~~shall have~~ has been petitioned for the appointment of a local conservator and has determined that the appointment is proper, he or she shall select the person whom he or she proposes to have appointed such conservator and shall notify the county ~~court~~ commission of the community for which ~~such~~ the conservator is to be appointed and the name of the person proposed for ~~such~~ that appointment. The county ~~court~~ commission shall

thereupon cause notice that the sheriff has recommended the appointment of the person named as conservator for the community named to be published as a Class II legal advertisement in compliance with the provisions of article three, chapter fifty-nine of this code, and the publication area for such publication shall be the county. The notice shall designate a day not less than five days after the date of the last publication when the county ~~court~~ commission will act upon the petition and recommendation. Neither the county ~~court~~ commission nor the judge of the circuit court shall assent and approve the appointment of such local conservator until such publication has been made. The costs of the publication shall be paid by the person or persons petitioning for the appointment of the conservator.

No local conservator ~~shall~~ may be appointed except it be made to appear to the satisfaction of the county ~~court~~ commission and the judge of the circuit court that because of the lack of sufficient funds, geographical location of the unincorporated community for which ~~such~~ the conservator is to be appointed, or other good reason, the sheriff and his or her regular deputies and the constables of the county are not sufficient to afford proper local policing of such community and that the person or persons moving for the appointment of such local conservator have made satisfactory arrangements to compensate him or her for his or her services as ~~such~~ the local conservator of the peace.

(3) ~~Such~~ The local conservator of the peace ~~shall have~~ may exercise all the powers and duties of a regularly appointed deputy sheriff except that he or she ~~shall may~~ not execute any civil process except such process as may be necessary to bring parties before the court in any action at law or suit in equity and subpoenas for witnesses within the unincorporated community for which he or she is appointed and within a distance of one mile outside the boundaries thereof, except as hereinafter expressly provided, but he or she shall not participate in any strike, unemployment boycott, or other industrial or labor dispute, nor serve any court process of any character relating thereto. He or she shall act as ~~such~~ the local conservator only in the unincorporated community for which he or she is appointed, and within a distance of one mile from the

boundaries thereof as fixed by the county ~~court~~ commission: *Provided, however,* That the authority of one local conservator ~~shall~~ may not extend into any other unincorporated community for which another local conservator is appointed and acting, except as otherwise expressly provided by subdivision (6) of this subsection, except that in fresh pursuit he or she may effect arrests anywhere in the county. He or she may also exercise the powers of a regularly appointed deputy anywhere in the county when required to guard or assist in guarding a payroll, or any other property of value in transit to or from the unincorporated community for which he or she is appointed. Any person arrested by ~~such~~ the local conservator shall, with all convenient speed, be turned over to the sheriff, or one of his or her regular deputies, or to a regular constable of the county to be dealt with according to law, and his or her authority for that purpose shall be coextensive with the county.

(4) Any local conservator appointed to perform the duties of conservator of the peace shall be a public officer and the payment, or contribution to the payment of compensation of ~~such~~ the local conservator ~~shall~~ may not constitute the person, firm or corporation making ~~such~~ the payment or contribution the employer of such local conservator and no person, firm or corporation paying, or contributing to the payment of compensation to such local conservator shall be answerable in law or in equity for any damages to person or property resulting from any official act of such local conservator.

(5) No person appointed ~~such~~ local conservator ~~shall thereby be entitled to~~ may carry weapons, but ~~such~~ the local conservator may carry weapons when he or she ~~shall be~~ is duly licensed and ~~shall have~~ has given bond as provided by §61-7-2 of this code.

(6) Not more than one local conservator of the peace ~~shall~~ may be appointed, to perform the duties of conservator of the peace, for each 2,500 inhabitants of the county as ascertained by the last regular decennial census after deducting the number of inhabitants of the county residing in the incorporated cities, towns and villages in ~~such~~ the county. Not more than one local conservator ~~shall~~ may be appointed for any unincorporated community unless the population thereof ~~exceed~~ exceeds 1,500 people and in such case

not more than two conservators ~~shall~~ may be appointed for ~~such~~ that community.

(7) The phrase "unincorporated community" within the meaning of this section ~~shall mean~~ means any center of population wherein 50 or more persons reside within an area of not more than one square mile.

(8) The county ~~court~~ commission and the judge of the circuit court in approving the appointment of a local conservator shall enter of record an order making such appointment and shall show therein the necessity for the appointment, the person or persons on whose motion the appointment is made, the arrangement for the payment of compensation to ~~such~~ the local conservator, the unincorporated community or communities, for which the appointment is made, including the general boundary of each unincorporated community for which he or she is appointed.

(9) No local conservator ~~shall~~ may act as an election official or remain in, about or near any voting place or place of political convention, further than is necessary for him or her to promptly cast his or her vote and retire from the voting place.

(10) Any local conservator violating any of the provisions of subdivisions (3) and (9) of this subsection ~~shall be~~ is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$50 nor more than \$300, or be confined in the county jail not more than six months, or both fined and confined, ~~in the discretion of the court; and it shall be the duty of the sheriff and the county court commission to~~ shall forthwith revoke his or her appointment irrespective of any criminal prosecution. A proceeding in mandamus or injunction shall lie in the circuit court and a proceeding in mandamus shall lie in the Supreme Court of Appeals at the instance of the prosecuting attorney, the Attorney General, or of any three or more citizens of the community for which ~~such~~ the conservator is appointed, to require the performance of ~~such~~ that duty by the sheriff and the county ~~court~~ commission.

(11) ~~Such~~ The local conservator shall serve during the joint will and pleasure of the sheriff and the county ~~court~~ commission and

his or her appointment may be revoked by order entered of record by the county ~~court~~ commission either with or without the assignment of cause therefor.

A local conservator may be removed by the judge of the circuit court, either in term or vacation, for drunkenness, gross immorality, incompetence, neglect of duty, or other good cause, upon the petition of three or more residents of the community for which he or she has been appointed. The petition shall set forth the cause or causes for which such removal is asked and shall show that demand for removal has been made of the sheriff and the county ~~court~~ commission and that the sheriff and the county ~~court~~ commission have failed to remove the local conservator. At least three copies of the petition shall be filed, and upon the filing of the petition the judge shall fix a time and place for a hearing thereon, which time shall not be less than 10 days after the filing of the petition, and shall cause a copy thereof to be served upon the sheriff and ~~such~~ the local conservator at least 10 days before the hearing thereon.

On motion of Senator Martin, the Senate refused to concur in the foregoing House amendment to the bill (Eng. Com. Sub. for S. B. 503) and requested the House of Delegates to recede therefrom.

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

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 526, Creating Pharmacist Prescribing Authority Act.

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

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

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

**ARTICLE 5. PHARMACISTS, PHARMACY TECHNICIANS,
PHARMACY INTERNS AND PHARMACIES.**

§30-5-10. Scope practice for licensed pharmacist;

(a) A licensed pharmacist may:

(1) Provide care related to the interpretation, evaluation, and implementation of medical orders;

(2) Dispense of prescription drug orders; participate in drug and device selection;

(3) Provide drug administration;

(4) Provide drug regimen review;

(5) Provide drug or drug-related research;

(6) Perform patient counseling;

(7) Provide pharmacy related primary care;

(8) Provide pharmacist care in all areas of patient care, including collaborative pharmacy practice;

(9) Compound and label drugs and drug devices;

(10) Proper and safe storage of drugs and devices;

(11) Maintain proper records;

(12) Provide patient counseling concerning the therapeutic value and proper use of drugs and devices;

(13) Order laboratory tests in accordance with drug therapy management; ~~and~~

(14) Provide medication therapy management; and

(15) Prescribe drugs, excluding controlled substances, that are in accordance with the product's federal Food and Drug Administration-approved labeling and that are limited to conditions for which a relevant patient medication history has been taken and;

(A) (i) Have a test that is used to guide diagnosis or clinical decision-making that is waived under the federal Clinical Laboratory Improvement Amendments of 1988 that indicates the existence of the following conditions only: influenza; SARS-COV-2; and RSV; or

(ii) refill an expired prescription for an epinephrine injection device.

(B) The pharmacist shall, within 72 hours, notify the patient's primary care physician of the test result and the permissible drug prescribed and dispensed.

(C) A prescription dispensed or prescribed pursuant to this article is limited to up to a 30-day supply within a 6 month period, if more than 10 days is prescribed or dispensed, then the pharmacist shall notify the primary care physician. If no primary care physician is identified, the pharmacist shall attempt to make a patient referral to a primary care physician.

(b) A licensee meeting the requirements as promulgated by legislative rule may administer immunizations.

(c) The sale of any medicine, if the contents of its container, or any part thereof, taken at one time, are likely to prove poisonous, deleterious, or habit-forming is prohibited by any person other than a registered pharmacist, who shall take precautions to acquaint the purchaser of the nature of the medicine at the time of sale.;

And,

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

Eng. Com. Sub. for Senate Bill 526—A Bill to amend and reenact §30-5-10 of the Code of West Virginia, 1931, as amended, relating to updating a pharmacist's scope of practice; authorizing pharmacists to prescribe certain drugs in accordance with Food and Drug Administration labeling; limiting the conditions for which a pharmacist may test; requiring the pharmacist notify the patient's primary care physician; and limiting a prescription to a 30-day supply within a six-month timeframe.

Senator Martin moved that the Senate concur in the House of Delegates amendments to the bill.

Following discussion,

The question being on the adoption of Senator Martin's aforesated motion, the same was put and prevailed.

Engrossed Committee Substitute for Senate Bill 526, 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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

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. 526) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and

requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Senate Bill 576, Authorizing fixed odds racing in horse and dog racing.

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

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

On page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

**ARTICLE 22D. WEST VIRGINIA LOTTERY SPORTS
WAGERING ACT.**

§29-22D-3. Definitions.

For the purposes of this article, the following terms have the meanings ascribed to them in this section:

(1) "Adjusted gross sports wagering receipts" means an operator's gross sports wagering receipts from West Virginia Lottery sports wagering, less winnings paid to wagerers in such games.

(2) "Collegiate sport or athletic event" means a sport or athletic event offered or sponsored by, or played in connection with, a public or private institution that offers educational services beyond the secondary level.

(3) "Commission" or "State Lottery Commission" means the West Virginia Lottery Commission, created by §29-22-1 *et seq.* of this code.

(4) "Director" means the Director of the West Virginia State Lottery Commission, appointed pursuant to §29-22-6 of this code.

(5) "E-sports event" means leagues, competitive circuits, tournaments, or similar competitions where individuals or teams

play video games, typically for spectators, either in person or online, for the purpose of prizes, money, or entertainment.

"Fixed odds wager on dog racing" means a sum of money or representation of value risked by a player on an occurrence associated with a sports event involving dog races for which the outcome is uncertain. The term includes single-race bets, teaser bets, moneyline bets, in-race wagering, proposition bets, straight bets, parlays, or any other wager type approved by the West Virginia Lottery.

"Fixed odds wager on horse racing" means a sum of money or representation of value risked by a player on an occurrence associated with a sports event involving racehorses for which the outcome is uncertain. The term includes single-race bets, teaser bets, moneyline bets, in-race wagering, proposition bets, straight bets, parlays, or any other wager type approved by the West Virginia Lottery.

"Fixed odds wagering on dog racing" means the acceptance of wagers on a sports event of live dog racing with predetermined odds. Fixed odds wagering on dog races shall only occur as provided in this article. Fixed odds wagers on dog racing may be combined with other wagers on other sports events as authorized in this article.

"Fixed odds wagering on horse racing" means the acceptance of wagers on a sports event of live horse racing with predetermined odds. Fixed odds wagering on horse racing shall only occur as provided in this article. Fixed odds wagers on horse races may be combined with other wagers on other sports events as authorized in this article.

(6) "Gaming equipment" or "sports wagering equipment" means any mechanical, electronic, or other device, mechanism, or equipment, and related supplies used or consumed in the operation of West Virginia Lottery sports wagering at a licensed gaming facility including, but not limited to, a kiosk installed to accept sports wagers.

~~(7)~~ "Gaming facility" means a designated area on the premises of an existing historic resort hotel, licensed under §29-25-1 *et seq.* of this code, to operate video lottery and table games or the facility of an entity authorized to operate racetrack video lottery machines pursuant to §29-22A-1 *et seq.* of this code.

~~(8)~~ "Government" means any governmental unit of a national, state, or local body exercising governmental functions, other than the United States government.

~~(9)~~ "Gross sports wagering receipts" means the total gross receipts received by a licensed gaming facility from sports wagering.

~~(10)~~ "License" means any license applied for or issued by the commission under this article including, but not limited to:

(A) A license to act as agent of the commission in operating West Virginia Lottery sports wagering at a licensed gaming facility (operator license or West Virginia Lottery sports wagering license);

(B) A license to supply a gaming facility licensed under this article to operate sports wagering with sports wagering equipment or services necessary for the operation of sports wagering (supplier license);

(C) A license to be employed at a racetrack or gaming facility licensed under this article to operate West Virginia Lottery sports wagering when the employee works in a designated gaming area that has sports wagering or performs duties in furtherance of or associated with the operation of sports wagering at the licensed gaming facility (occupational license); or

(D) A license to provide management services under a contract to a gaming facility licensed under this article to operate sports wagering (management services provider license).

~~(11)~~ "Licensed gaming facility" means a designated area on the premises of an existing historic resort hotel, pursuant to §29-25-1 *et seq.* of this code, or the facility of an entity authorized to operate

racetrack video lottery machines, pursuant to §29-22A-1 *et seq.* of this code licensed under this article to conduct West Virginia Lottery sports wagering.

(12) "Lottery" means the public gaming systems or games regulated, controlled, owned, and operated by the State Lottery Commission in the manner provided by general law, as provided in this article, §29-22-1 *et seq.*, §29-22A-1 *et seq.*, §29-22B-1 *et seq.*, §29-22C-1 *et seq.*, and §29-25-1 *et seq.* of this code.

(13) "National criminal history background check system" means the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or any other method of positive identification.

(14) "Operator" means a licensed gaming facility which has elected to operate a sports pool and other authorized West Virginia Lottery sports wagering activities.

(15) "Professional sport or athletic event" means an event at which two or more persons participate in sports or athletic events and receive compensation in excess of actual expenses for their participation in such event.

(16) "Sports event" or "sporting event" means any professional sport or athletic event, any collegiate sport or athletic event, motor race event, e-sports event, or any other special event authorized by the commission under this article. A "sports event" or "sporting event" includes "horse racing" or "dog racing" as defined in §19-23-3 of this code for the purpose of conducting "fixed odds wagering on horse racing" or "fixed odds wagering on dog racing" as defined in this article.

(17) "Sports pool" means the business of accepting wagers on any sports event by any system or method of wagering.

(18) "Sports wagering account" means a financial record established by a licensed gaming facility for an individual patron in which the patron may deposit and withdraw funds for sports wagering and other authorized purchases, and to which the licensed

gaming facility may credit winnings or other amounts due to that patron or authorized by that patron.

~~(19)~~ "Sports wagering agreement" means a written agreement between the commission and one or more other governments whereby persons who are physically located in a signatory jurisdiction may participate in sports wagering conducted by one or more operators licensed by the signatory governments.

~~(20)~~ "Sports wagering fund" means the special fund in the State Treasury created in §29-22D-17 of this code.

~~(21)~~ "Supplier" means a person that requires a supplier license to provide a sports wagering licensee with goods or services to be used in connection with operation of West Virginia Lottery sports wagering.

~~(22)~~ "Wager" means a sum of money or thing of value risked on an uncertain occurrence.

~~(23)~~ "West Virginia Lottery sports wagering" or "sports wagering" means the business of accepting wagers on sporting events, and other events, the individual performance statistics of athletes in a sporting event or other events, or a combination of any of the same by any system or method of wagering approved by the commission including, but not limited to, mobile applications and other digital platforms that utilize communications technology to accept wagers originating within this state. The term includes, but is not limited to, exchange wagering, parlays, over-under, moneyline, pools, fixed odds wagering on horse racing, fixed odds wagering on dog racing, and straight bets. The term does not include:

(A) Pari-mutuel betting on the outcome of horse or dog races authorized by §19-23-12a and §19-23-12d of this code;

(B) Lottery games of the West Virginia State Lottery authorized by §29-22-1 *et seq.* of this code;

(C) Racetrack video lottery authorized by §29-22A-1 *et seq.* of this code;

(D) Limited video lottery authorized by §29-22B-1 *et seq.* of this code;

(E) Racetrack table games authorized by §29-22C-1 *et seq.* of this code;

(F) Video lottery and table games authorized by §29-25-1 *et seq.* of this code; and

(G) Daily Fantasy Sports (DFS).

~~(24)~~ "West Virginia Lottery sports wagering license" means authorization granted under this article by the commission to a gaming facility that is already licensed under §29-22A-1 *et seq.* or §29-25-1 *et seq.* of this code, which permits the gaming facility as an agent of the commission to operate West Virginia Lottery sports wagering in one or more designated areas or in one or more buildings owned by the licensed gaming facility on the grounds where video lottery is conducted by the licensee or through any other authorized platform developed by the gaming facility. This term is synonymous with "operator's license".

§29-22D-4. Commission duties and powers.

(a) In addition to the duties set forth elsewhere in this article, §29-22-1 *et seq.*, §29-22A-1 *et seq.*, §29-22B-1 *et seq.*, §29-22C-1 *et seq.*, and §29-25-1 *et seq.* of this code, the commission may regulate sports pools and the conduct of sports wagering under this article.

(b) The commission shall examine the regulations implemented in other states where sports wagering is conducted and shall, as far as practicable, adopt a similar regulatory framework through promulgation of rules.

(c) The commission may, pursuant to §29A-1-1 *et seq.* and §29A-3-1 *et seq.* of this code, promulgate or otherwise enact any legislative, interpretive, and procedural rules the commission considers necessary for the successful implementation, administration, and enforcement of this article.

(1) Rules promulgated by the commission may include, but are not limited to, those governing the acceptance of wagers on a sports event or a series of sports events; acceptance of fixed odds wagering on horse racing or dog racing; maximum wagers which may be accepted by an operator from any one patron on any one sports event; type of wagering tickets which may be used; method of issuing tickets; method of accounting to be used by operators; types of records which shall be kept; use of credit and checks by patrons; type of system for wagering; protections for patrons placing wagers; and promotion of social responsibility, responsible gaming, and inclusion of the statement, "If you or someone you know has a gambling problem and wants help, call 1-800 GAMBLER," in every designated area approved for sports wagering and on any mobile application or other digital platform used to place wagers.

(2) The commission shall establish minimum internal control standards (MICS) and approve minimum internal control standards proposed by licensed operators for administration of sports wagering operations, wagering equipment and systems, or other items used to conduct sports wagering, as well as maintenance of financial records and other required records.

(d) The commission shall propose a rule for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code that enumerates the reasons for which patrons of sports gaming may be banned from engaging in sports betting. The list of reasons for which patrons may be banned shall include, but not be limited to:

(1) A prior conviction under §61-2-15a of this code;

(2) A prior violation of an order of the commission; or

(3) If the commission determines that the person poses a threat to the safety of patrons or participants in a sporting event or determines that the person has engaged in a pattern of conduct of harassing a sports official, coach, or any participants.

(e) The rule shall also set forth the procedure by which complaints against patrons are lodged with and investigated by the commission. The commission shall notify a patron of the commission's intent to ban the patron from sports betting, and the patron is entitled to a hearing before the commission pursuant to §29A-5-1 *et seq.* of this code.

(f) The commission shall determine the eligibility of a person to hold or continue to hold a license, shall issue all licenses, and shall maintain a record of all licenses issued under this article.

(g) The commission shall levy and collect all fees, surcharges, civil penalties, and weekly tax on adjusted gross sports wagering receipts imposed by this article, and deposit all moneys into the sports wagering fund, except as otherwise provided under this article.

(h) The commission may sue to enforce any provision of this article or any rule of the commission by civil action or petition for injunctive relief.

(i) The commission may hold hearings, administer oaths, and issue subpoenas or subpoenas duces tecum: *Provided*, That all hearings shall be conducted pursuant to the provisions of the State Administrative Procedures Act, §29A-2-1, *et seq.* of this code and the Lottery Administrative Appeal Procedures, W.Va. CSR §179-2-1, *et seq.*

(j) The commission may exercise any other powers necessary to effectuate the provisions of this article and the rules of the commission.

§29-22D-15a. Fixed odds wagering on horse racing or dog racing.

(a) Fixed odds wagering on horse racing or dog racing is hereby authorized. Acceptance of fixed odds wagering on horse racing or dog racing shall only be conducted by a licensed operator, licensed gaming facility, or management services provider, as defined in this article.

(b) Any content authorized for fixed odds wagering on horse races from outside of West Virginia to be offered for wagering by a licensed operator, licensed gaming facility, or management services provider, shall comply with the Interstate Horseracing Act of 1978, 15 U.S.C. 3001, et seq.

(c) Any content authorized for fixed odds wagering on horse races from West Virginia, or fixed odds wagering on dog races from West Virginia, to be offered for wagering by a licensed operator, licensed gaming facility, or management services provider, shall require the consent of the host racetrack and recognized horsemen's group for horse races.

§29-22D-17a. Fixed Odds Horse Racing Wagering Purse Supplement Fund creation; distribution of funds.

(a) There is hereby created within the State Treasury a fund known as the West Virginia Lottery Fixed Odds Horse Racing Wagering Purse Supplement Fund. The fund shall be administered by the Director of the West Virginia Lottery.

(b) Ten percent of the licensee's adjusted gross wagering receipts from fixed odds wagering on horse racing shall be collected in the same manner as prescribed by §29-22D-16 of this code. The funds shall be distributed as follows:

(1) Of the ten percent collected from the licensee's adjusted gross wagering receipts from fixed odds wagers on horse races excluding parlays, 25 percent of such collections shall be deposited into the West Virginia Lottery Fixed Odds Horse Racing Wagering Purse Supplement Fund created by this section.

(2) Of the ten percent collected from the licensee's adjusted gross wagering receipts from fixed odds wagers on horse races excluding parlays, 25 percent of such collections shall be collected and distributed equally among the licensed thoroughbred racetracks in this state.

(3) Of the ten percent collected from the licensee's adjusted gross wagering receipts from parlays, 25 percent of the portion of such collections wagered on horse race events in the parlays shall

be deposited into the West Virginia Lottery Fixed Odds Horse Racing Wagering Purse Supplement Fund created by this section. For the avoidance of doubt, only the horse racing portion(s) of any parlay bet shall be included in this calculation.

(4) Of the ten percent collected from the licensee's adjusted gross wagering receipts from parlays, 25 percent of the portion of such collections wagered on horse race events in the parlays shall be collected and distributed equally among licensed thoroughbred racetracks in this state. For the avoidance of doubt, only the horse racing portion(s) of any parlay bet shall be included in this calculation.

(c) All moneys collected under this section by the West Virginia Lottery from fixed odds wagering on horse racing shall be deposited with the State Treasurer in the West Virginia Lottery Fixed Odds Horse Racing Wagering Purse Supplement Fund. The fund shall be an interest-bearing account with all interest or other return earned on the money of the fund credited to and deposited in the fund. All expenses of the West Virginia Lottery incurred in the administration and enforcement of this article shall be paid from the West Virginia Sports Wagering Fund pursuant to §29-22D-17(b) of this code.

(d) Moneys in the fund shall be invested by the State Treasurer in the same manner as moneys in the state general fund. Interest earned on the investments of moneys in the fund shall be deposited in and credited to the fund.

(e) Within 30 days of the beginning of each fiscal year, 50 percent of the amount of moneys in the fund shall be distributed into the special funds created by thoroughbred racetrack licensees to be used for the payment of regular purses offered for thoroughbred racing and established under §19-23-9(b)(1) of this code, and 50 percent shall be distributed equally among licensed thoroughbred racetracks in this state.

(f) In distributing the funds collected under this section into the special funds of the thoroughbred racetrack licensees to be used for the payment of regular purses offered for thoroughbred racing

established under §19-23-9(b)(1) of this code, the Lottery Director shall allocate proportionally based upon the total handle, or amount wagered, at each licensed thoroughbred racetrack, as calculated annually by the West Virginia Racing Commission, for the preceding calendar year.

§29-22D-17b. Fixed Odds Dog Racing Wagering Purse Supplement Fund creation; distribution of funds.

(a) There is hereby created in the State Treasury a fund known as the West Virginia Lottery Fixed Odds Dog Racing Wagering Purse Supplement Fund. The fund shall be administered by the Director of the West Virginia Lottery.

(b) Ten percent of the licensee's adjusted gross wagering receipts from fixed odds wagering on dog racing shall be collected in the same manner as prescribed by §29-22D-16 of this code. The funds shall be distributed as follows:

(1) Of the ten percent collected from the licensee's adjusted gross wagering receipts from fixed odds wagers on dog races, excluding parlays, 25 percent of such collections shall be deposited into the West Virginia Lottery Fixed Odds Dog Racing Wagering Purse Supplement Fund established by this section.

(2) Of the ten percent collected from the licensee's adjusted gross wagering receipts from fixed odds wagers on dog races excluding parlays, 25 percent of such collections shall be collected and distributed equally among the licensed dog racetracks in this state.

(3) Of the ten percent collected from the licensee's adjusted gross wagering receipts from fixed odds wagers on dog races from parlays, 25 percent of the portion of such collections wagered on dog race events in the parlays shall be deposited into the West Virginia Lottery Fixed Odds Dog Racing Wagering Purse Supplement Fund created by this section. For the avoidance of doubt, only the dog racing portion(s) of any parlay bet shall be included in this calculation.

(4) Of the ten percent collected from the licensee's adjusted gross wagering receipts from parlays, 25 percent of the portion of such collections wagered on dog race events in the parlays shall be collected and distributed equally among licensed dog racetracks in this state. For the avoidance of doubt, only the dog racing portion(s) of any parlay bet shall be included in this calculation.

(c) Subject to the provisions of subsection (b) of this section, all moneys collected under this section by the West Virginia Lottery from fixed odds wagering on dog racing shall be deposited with the State Treasurer in the West Virginia Lottery Fixed Odds Dog Racing Wagering Purse Supplement Fund. The fund shall be an interest-bearing account with all interest or other return earned on the money of the fund credited to and deposited in the fund. All expenses of the West Virginia Lottery incurred in the administration and enforcement of this article shall be paid from the West Virginia Sports Wagering Fund pursuant to §29-22D-17(b) of this code.

(d) Moneys in the fund shall be invested by the State Treasurer in the same manner as moneys in the state General Fund. Interest earned on the investments of moneys in the fund shall be deposited in and credited to the fund.

(e) Within 30 days of the beginning of each fiscal year, 50 percent of the amount of moneys in the fund shall be distributed to the West Virginia Greyhound Breeding Development Fund created under §19-23-10 of this code, and 50 percent shall be distributed equally among licensed dog racetracks in this state.

§29-22D-17c. Use of funds by licensed racetrack facilities.

Any funds distributed to licensed racetracks under §29-22D-17a and §29-22D-17b of this code may be expended by such licensed racetracks to support operations in this state authorized under §19-23-1 *et seq.*, §29-22A-1 *et seq.*, §29-22C-1 *et seq.*, §29-22D-1 *et seq.*, or §29-22E-1 *et seq.*, of this code, or for capital improvements at facilities located in this state that are on or contiguous to the premises of the licensed racetrack.

§29-22D-25. Wagering by racing officials not allowed.

An operator shall not knowingly accept a wager from a person who is an owner or trainer of a racehorse or dog, or a jockey, including their employees, or a racing official, who is participating in the horse racing or dog racing sports event, as applicable, on which the person is attempting to place the wager. For the purposes of this section, a racing official shall mean: stewards, placing judges, clerk of scales, starter, timer, paddock judge, Racing Commission veterinarian(s), association's racing secretary and assistants, horse identifier, clocker, and jockey room custodian.

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

Engrossed Committee Substitute for Senate Bill 576, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Barrett, Boley, Chapman, Charnock, Clements, Fuller, Garcia, Hamilton, Helton, Jeffries, Morris, Oliverio, Phillips, Queen, Rucker, Takubo, Tarr, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—23.

The nays were: Azinger, Bartlett, Deeds, Grady, Hart, Martin, Maynard, Roberts, Rose, Stuart, and Taylor—11.

Absent: None.

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. 576) passed with its title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, 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 Com. Sub. for Senate Bill 587, Relating generally to government contracting.

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 8, section 2, line 21, after the words "period of" by striking the number "60" and inserting in lieu thereof the number "90";

On page 8, section 2, line 22, after the word "The" by striking the number "60" and inserting in lieu thereof the number "90";

On page 8, section 2, line 23, after the word "The" by striking the word "60-day" and inserting in lieu thereof the word "90-day";

On page 10, section 1, line 6, after the words "authorized for" by striking the remainder of the sentence and inserting in lieu thereof the words "a construction project of less than \$20 million in estimated total cost.";

On page 15, section 6, line 7, after the word "Published" by striking the words "in the newspaper of general circulation in the geographic area of the proposed project" and inserting in lieu thereof the words "as a Class II legal advertisement in compliance with the provisions of §59-3-1 et seq. of this code for";

On page 16, section 8, line 25, after the word "published" by striking the words "in the newspaper of general circulation in the geographic area of the proposed project," and inserting in lieu thereof the words "as a Class II legal advertisement in compliance with the provisions of §59-3-1 et seq. of this code";

And,

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

Eng. Com Sub. for Com. Sub. for Senate Bill 587—A Bill to amend and reenact §5-22-1, §5-22-2, and §5-22-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §5-22B-1, §5-22B-2, §5-22B-3, §5-22B-4, §5-22B-5, §5-22B-6, §5-22B-7, §5-22B-8, §5-22B-9, §5-22B-10, §5-22B-11, §5-22B-12, §5-22B-13, §5-22B-14, §5-22B-15, §5-22B-16, §5-22B-17, §5-22B-18, and §5-22B-19, relating to government contracting; increasing the minimum competitive bid threshold from \$25,000 to \$50,000; providing for a bid validity period; clarifying factors for considering when bids exceed budgeted amount; enacting the Government Construction Management At-Risk Contracts Act; providing a short title; defining terms; authorizing the state and/or its subdivisions to engage in construction management at-risk contracts for projects with a total estimated cost of \$20 million or greater; requiring the state and/or its subdivisions adopt policies and procedures for use in construction management at-risk contract; requiring the state and/or its subdivisions using construction management at-risk delivery method provide notice; requiring the state and/or its subdivisions issue request for qualifications; requiring the state and/or its subdivisions issue requests for proposals; establishing a standardized format for a proposal; establishing the criteria a request for proposal must contain; providing standards and criteria for the evaluation of proposals; providing for prequalification of firms; requiring a proposal evaluation committee; establishing suggested membership of a proposal evaluation committee; providing evaluation criteria and weight for aspects of proposals; setting forth process to determine best value; authorizing the state and/or its subdivisions to amend contracts after acceptance; providing exceptions for special maintenance projects; making documents public in some instances; providing for rulemaking; required reporting; setting forth a sunset date; and making technical and conforming amendments.

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

Engrossed Committee Substitute for Committee Substitute for Senate Bill 587, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Morris, Oliverio, Phillips, Queen, Roberts, Rucker, Stuart, Takubo, Tarr, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—27.

The nays were: Azinger, Hart, Martin, Maynard, Rose, Taylor, and Thorne—7.

Absent: None.

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 Com. Sub. for S. B. 587) passed with its House of Delegates amended title.

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

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

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

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 12, section 27b, line 47, following "date" by adding "provided in §5-10-2 of this code";

On page 13, section 27b, line 67, following "attained" by striking "age 70.5 (if born before July 1, 1949) or age 72 (if born

after June 30, 1949)" and inserting in lieu thereof "the applicable age as set forth in the definition of required beginning date provided in §5-10-2 of this code";

On page 20, section 6a, line 29, following the word board by adding "or the eligible retired public safety officer";

On page 31, section 9b, line 46, following "date" by adding "provided in §7-14D-2 of this code";

On page 32, section 9b, line 66, following "attained" by striking "age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)" and inserting in lieu thereof "the applicable age as set forth in the definition of required beginning date provided in §7-14D-2 of this code";

On page 39, section 2, line 113, following "§8-22A-33" by adding "and §8-22A-33a";

On page 40, section 2, line 126, following "§8-22A-33" by adding "or §8-22A-33a";

On page 40, section 2, line 135, following "§8-22A-33" by adding "or §8-22A-33a";

On page 45, section 11, line 46, following "date" by adding "provided in §8-22A-2 of this code";

On page 46, section 11, line 66, following "attained" by striking "age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)" and inserting in lieu thereof "the applicable age as set forth in the definition of required beginning date provided in §8-22A-2 of this code";

On page 49, section 45, line 56, following "date" by adding "provided in subsection (a) of this section";

On page 50, section 45, line 76, following "attained" by striking "age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)" and inserting in lieu thereof "the applicable

age as set forth in the definition of required beginning date provided in subsection (a) of this section";

On page 57, section 6b, line 41, following "date" by adding "provided in §15-2A-2 of this code";

On page 58, section 6b, line 61, following "attained" by striking "age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)" and inserting in lieu thereof "the applicable age as set forth in the definition of required beginning date provided in §15-2A-2 of this code";

On page 66, section 2, line 172, following "subsection" by striking "(r)" and inserting in lieu thereof "(s)";

On page 72, section 13, line 46, following "date" by adding "provided in §16-5V-2 of this code";

On page 73, section 13, line 66, following "attained" by striking "age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)" and inserting in lieu thereof "the applicable age as set forth in the definition of required beginning date provided in §16-5V-2 of this code";

On page 84, section 28b, line 47, following "date" by adding "provided in §18-7A-3 of this code";

On page 85, section 28b, line 67, following "attained" by striking "age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)" and inserting in lieu thereof "the applicable age as set forth in the definition of required beginning date provided in §18-7A-3 of this code";

On page 91, section 12a, line 49, following "date" by adding "provided in §18-7B-2 of this code";

On page 92, section 12a, line 70, following "attained" by striking "age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)" and inserting in lieu thereof "the applicable age as set forth in the definition of required beginning date provided in §18-7B-2 of this code";

On page 104, section 14, line 45, following "date" by adding "provided in §20-18-2 of this code";

On page 105, section 14, line 65, following "attained" by striking "age 72" and inserting in lieu thereof "the applicable age as set forth in the definition of required beginning date provided in §20-18-2 of this code";

On page 113, section 12b, line 41, following "date" by adding "provided in §51-9-1a of this code"; and

On page 113, section 12b, line 61, following "attained" by striking the remainder of paragraph (A) and inserting in lieu thereof "the applicable age as set forth in the definition of required beginning date provided in §51-9-1a of this code; or".

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

Engrossed Senate Bill 712, as amended by the House of Delegates, was then put upon its passage.

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

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, 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: None.

Absent: None.

Excused from voting: Charnock—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 712) passed with its title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, 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. Senate Bill 837, Eliminating WV Office of Equal Opportunity.

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:

ARTICLE 1. DEPARTMENT OF ADMINISTRATION.

§5A-1-11. State of West Virginia ~~Office of Equal Opportunity~~ Coordinator.

(a) There is ~~created~~ continued within the Department of Administration ~~the State of West Virginia Office of Equal Opportunity, to be directed by the position of the State Equal Opportunity Coordinator, who shall be appointed by the Secretary of the Department of Administration.~~

(b) The coordinator ~~shall~~ must be ~~a full-time~~ an employee ~~and shall have of the Department of Administration and possess~~ an in-depth working knowledge of the federal Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964, The Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1977, Sections 102 and 103 of the Civil Rights Act of 1991, Sections 501 and 505 of the Rehabilitation Act of 1973, and the Genetic Information Nondiscrimination Act of 2008. The coordinator shall also have an in-depth working knowledge of the

challenges facing ~~West Virginian minorities~~ Virginians covered under these Acts ~~and those living with disabilities and shall continually seek to update his or her understanding of such challenges through further education and information gathering.~~

(c) The coordinator shall:

(1) Advise the Director of Personnel in the development of comprehensive policies and programs for the development, implementation, and monitoring of a statewide program to assure compliance with 42 U.S.C. §12101, *et seq.*, the federal Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964, The Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1977, Sections 102 and 103 of the Civil Rights Act of 1991, Sections 501 and 505 of the Rehabilitation Act of 1973, and the Genetic Information Nondiscrimination Act of 2008;

(2) Assist in the formulation of rules and standards relating to the review, investigation, and resolution of complaints of discrimination in employment, education, housing, and public accommodation;

(3) Consult and collaborate with state and federal agency officials to develop ~~the statewide compliance program~~ program programs;

(4) Consult, train, and collaborate with, state agencies and state employees on the federal Equal Employment Opportunity Act, ~~and Americans with Disabilities Act, and provide training for managers and supervisors on regulations~~ and related issues;

(5) Represent the state on local, state, and national committees and panels related to the Americans with Disabilities Act and the Equal Employment Opportunity Act;

(6) Advise the Governor and agency heads on federal Americans with Disabilities Act and Equal Employment Opportunity Act issues;

(7) Consult with state ~~equal employment opportunity officers~~ agencies on the hiring and employment of persons with disabilities; and

~~(8) Be available to inspect and advise the leasing section of Real Estate Division, General Services Division, and the Purchasing Division of Purchasing on all physical properties owned or leased by the State of West Virginia for compliance with 42 U.S.C. §12101, *et seq.*, the federal Americans with Disabilities Act; and.~~

~~(9) Report annually on the Office of Equal Opportunity to the Governor, President of the Senate, and Speaker of the House of Delegates;.~~

And,

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

Eng. Senate Bill 837—A Bill to amend and reenact §5A-1-11 of the Code of West Virginia, 1931, as amended, relating to continuing the position of State Equal Opportunity Coordinator; establishing qualifications for the position; setting forth how the State Equal Opportunity Coordinator is selected; outlining scope of responsibilities; and making other technical changes.

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

Engrossed Senate Bill 837, 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, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, and Smith (Mr. President)—28.

The nays were: Garcia, Oliverio, Phillips, Willis, Woelfel, and Woodrum—6.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 837) 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 912, Relating to student growth assessment program.

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, after the enacting clause by striking out the remainder of the bill and inserting, in lieu thereof, the following:

ARTICLE 2E. HIGH QUALITY EDUCATIONAL PROGRAMS.

§18-2E-5. Process for improving education; education standards; statewide assessment program; accountability measures; Office of Education Performance Audits; school accreditation and school system approval; intervention to correct low performance.

(a) *Legislative findings, purpose, and intent.*—The Legislature makes the following findings with respect to the process for improving education and its purpose and intent in the enactment of this section:

(1) The process for improving education includes four primary elements, these being:

(A) Standards which set forth the knowledge and skills that students should know and be able to perform as the result of a thorough and efficient education that prepares them for the twenty-first century, including measurable criteria to evaluate student performance and progress;

(B) Assessments of student performance and progress toward meeting the standards;

(C) A system of accountability for continuous improvement articulated by a rule promulgated by the state board that will build capacity in and ensure the efficiency of schools and districts to meet rigorous outcomes that assure student performance and progress toward obtaining the knowledge and skills intrinsic to a high-quality education, rather than monitoring for compliance with specific laws and regulations; and

(D) A method for building the capacity and improving the efficiency of schools and school systems to improve student performance and progress;

(2) As the constitutional body charged with the general supervision of schools as provided by general law, the state board has the authority following constructive engagement of the Legislature as provided in §18-2H-1 of this code and as delegated by the Legislature by general law to establish the standards and assess the performance and progress of students against the standards, and to exercise its supervisory responsibility to hold schools and school systems accountable and assist schools and school systems to build capacity and improve efficiency so that the standards are met, including, when necessary, seeking additional resources in consultation with the Legislature and the Governor;

(3) As the constitutional body charged with providing for a thorough and efficient system of schools, the Legislature has the authority and the responsibility to establish and be engaged constructively in the determination of the knowledge and skills that students should know and be able to do as the result of a thorough and efficient education. This determination is made by using the process for improving education to determine when school

improvement is needed by evaluating the results and the efficiency of the system of schools, by ensuring accountability and by providing for the necessary capacity and its efficient use;

(4) In consideration of these findings, the purpose of this section is to establish a process for improving education that includes the four primary elements as set forth in subdivision (1) of this subsection to provide assurances that the high-quality standards are, at a minimum, being met and that a thorough and efficient system of schools is being provided for all West Virginia public school students on an equal education opportunity basis; and

(5) The intent of the Legislature in enacting this section is to establish a process through which the Legislature, the Governor, and the state board will constructively consult on any measures affecting standards, assessments, and accountability prior to their adoption, examine the performance and progress of students, schools, and school systems and, when necessary, consider alternative measures to ensure that all students continue to receive the thorough and efficient education to which they are entitled. However, nothing in this section requires any specific level of funding by the Legislature.

(b) *Electronic county and school strategic improvement plans.*—The state board shall promulgate a rule consistent with this section and in accordance with §29A-3B-1 *et seq.* of this code establishing an electronic county strategic improvement plan for each county board and an electronic school strategic improvement plan for each public school in this state. Each respective plan shall be for a period of no more than five years and shall include the mission and goals of the school or school system to improve student, school, or school system performance and progress, as applicable. The strategic plan shall be revised annually in each area in which the school or system is below the standard on the annual performance measures. The plan shall be revised when required pursuant to this section to include each annual performance measure upon which the school or school system fails to meet the standard for performance and progress, the action to be taken to meet each measure, a separate time line and a date certain for meeting each measure, a cost estimate and, when applicable, the

assistance to be provided by the department and other education agencies to improve student, school or school system performance and progress to meet the annual performance measure.

The department shall make available to all public schools through its website or the West Virginia Education Information System an electronic school strategic improvement plan boilerplate designed for use by all schools to develop an electronic school strategic improvement plan which incorporates all required aspects and satisfies all improvement plan requirements of the Every Student Succeeds Act or subsequent federal law.

(c) *High-quality education standards and efficiency standards.*—In accordance with §29A-3B-1 *et seq.* of this code, the state board shall adopt and periodically review and update high-quality education standards for student, school and school system performance and processes in the following areas:

- (1) Academic standards;
- (2) Workplace readiness skills;
- (3) Finance;
- (4) Transportation;
- (5) Special education;
- (6) Facilities;
- (7) Administrative practices;
- (8) Training of county board members and administrators;
- (9) Personnel qualifications;
- (10) Professional development and evaluation;
- (11) Student performance, progress, and attendance;
- (12) Professional personnel, including principals and central office administrators, and service personnel attendance;

- (13) School and school system performance and progress;
- (14) A code of conduct for students and employees;
- (15) Indicators of efficiency;
- (16) Digital literacy skills; and
- (17) Any other areas determined by the state board.

(d) *Comprehensive statewide student growth assessment program.*—The state board shall establish a comprehensive statewide student growth assessment program to assess student performance and progress in grades three through 12. The assessment program is subject to the following:

(1) The state board shall promulgate a rule in accordance with §29A-3B-1 *et seq.* of this code establishing the comprehensive statewide student growth assessment program which shall be composed of benchmark assessments that are given in the first 30 days of the school year and repeated at mid-year and a summative assessment at the end of the school year to determine student progression in reading and mathematics in grades three through eight;

(2) ~~Prior to the testing window of the 2017-2018 school year, the~~ The state board shall align the comprehensive statewide student assessment for all grade levels in which the test is given with the college readiness academic standards adopted pursuant to ~~section thirty-nine, article two of this chapter~~ subsection (c) of this section or develop other aligned tests to be required in grades three through eight and administered once during the grade span of nine through 12 to assess progress toward college and career readiness in English/language arts and math. The assessment in science shall be administered once in grade spans three through five, once in grade spans six through eight, and once in grade spans nine through 12;

(3) In accordance with §18-2-1 *et seq.* and §18-2E-1 *et seq.* of this code, the state board shall review or develop, and adopt a college and career readiness assessment to be administered in grade 11: *Provided, That the adopted college and career readiness*

assessment administered in grade 11 counts toward the statewide student assessment and must be used by a significant number of regionally accredited higher education institutions for determining college admissions.

(4) The comprehensive statewide student growth assessment shall be administered to students in accordance with the requirements of the Every Student Succeeds Act or subsequent federal law;

(5) The state board may provide, through the statewide assessment program, other optional testing or assessment instruments applicable to grade levels kindergarten through grade 12 which may be used by each school to promote student achievement. The state board annually shall publish and make available, electronically or otherwise, to school curriculum teams and teacher collaborative processes the optional testing and assessment instruments. For any online assessment, the state board shall provide online assessment preparation to ensure that students have the requisite digital literacy skills to be successful on the assessment;

(6) The state board may adopt a career readiness assessment that measures and documents foundational workplace skills and leads to a nationally recognized work readiness certificate for students that meet minimum proficiency requirements; and

(7) The comprehensive statewide student growth assessment adopted prior to the testing window of the ~~2017-2018~~ 2025-2026 school year shall continue to be used for at least a total of four consecutive years;

(8) No summative assessment approved by the state board may take more than two percent of a student's instructional time;

(9) No student may be required to complete a greater number of summative assessments than is required by the Every Student Succeeds Act except as otherwise required by this subsection; and

(10) Collection of personal data as part of the assessment process except for what is necessary for the student's instruction, academic and college and career search needs is prohibited.

(e) *State annual performance measures for school and school system accreditation.* —

The state board shall promulgate a rule in accordance with article §29A-3B-1 *et seq.* of this code that establishes a system that is based in multiple measures and meets the requirements of any federal law to assess and weigh annual performance measures to assure that schools and school systems are providing a thorough and efficient education to their students. State accreditation shall be reviewed and approved in a balanced manner that gives fair credit to all measures affecting students and subgroups of students in the schools and school systems. The state board also may establish performance incentives for schools and school systems as part of the state accreditation system. On or before December 1, 2018, the state board shall report to the Governor and to the Legislative Oversight Commission on Education Accountability the proposed rule for establishing the measures and incentives of accreditation and the estimated cost therefore, if any. Thereafter, the state board shall provide an annual report to the Governor and to the Legislative Oversight Commission on Education Accountability on the impact and effectiveness of the accreditation system. The rule for school and school system accreditation proposed by the board may include, but is not limited to, the following measures:

(1) Student proficiency and growth in English and language arts, math, science, and other subjects determined by the board;

(2) Graduation and attendance rate;

(3) Students taking and passing AP tests;

(4) Students completing a career and technical education class;

(5) Closing achievement gaps within subgroups of a school's student population; and

(6) Students scoring at or above average attainment on SAT or ACT tests.

(f) *Indicators of efficiency.*—In accordance with §29A-3B-1 *et seq.* of this code, the state board shall adopt by rule and periodically review and update indicators of efficiency for use by the appropriate divisions within the department to ensure efficient management and use of resources in the public schools in the following areas:

(1) Curriculum delivery including, but not limited to, the use of distance learning;

(2) Transportation;

(3) Facilities;

(4) Administrative practices;

(5) Personnel; and

(6) Any other indicators as determined by the state board.

Each county board of education shall use the statewide electronic information system established by the state board for data collection and reporting to the state Department of Education.

(g) *Assessment and accountability of school and school system performance and processes.*—In accordance with §29A-3B-1 *et seq.* of this code, the state board shall establish by rule a system of education performance measures to evaluate the quality of education and the preparation of students based on the annual measures of student, school, and school system performance and progress. The system of education performance measures shall provide information to the state board, the Legislature, and the Governor, upon which they may determine whether a thorough and efficient system of schools is being provided. The system of education performance measures shall include:

(1) The assessment of student, school, and school system performance and progress based on the annual measures established pursuant to subsection (e) of this section;

(2) The evaluation of records, reports, and other documents that provide information on the quality of education and compliance with statutes, policies, and standards; and

(3) The review of school and school system electronic strategic improvement plans.

(h) *Uses of school and school system assessment information.*—The state board shall use information from the system of education performance measures to assist it in ensuring that a thorough and efficient system of schools is being efficiently provided and to improve student, school and school system performance and progress. Information from the system of education performance measures further shall be used by the state board for these purposes, including, but not limited to, the following:

(1) Determining accountability and accreditation for schools and school system approval status as required by state board rule and any federal law or regulations; and

(2) Holding schools and school systems accountable for the efficient use of existing resources to meet or exceed the standards; and

(3) Targeting additional resources when necessary to improve performance and progress.

The state board shall make the performance measures information available to the Legislature, the Governor, the general public, and to any individual who requests the information, subject to the provisions of any act or rule restricting the release of information.

(i) *Early detection and intervention programs.*—Based on the assessment of student, school and school system performance, and progress, the state board shall establish early detection and

intervention programs using the available resources of the Department of Education, or other resources as appropriate, to assist underachieving schools and school systems to improve performance before conditions become so grave as to warrant more substantive state intervention. Assistance shall include, but is not limited to, providing additional technical assistance and programmatic, professional staff development, and providing monetary, staffing, and other resources where appropriate.

(j) The state board may employ experienced education professionals, who serve at the will and pleasure of the state board, to coordinate on site and school system improvement efforts with staff at the state Department of Education to support schools and school systems in improving education performance measures.

(k) *School accreditation.* —

(1) The state board shall establish levels of accreditation to be assigned to schools. The establishment of levels of accreditation shall be subject to the following:

(A) The levels will be designed to demonstrate school performance on multiple measures as established by the state board by legislative rule in accordance with §29A-3B-1 *et seq.* of this code and consistent with the applicable state laws, policies and standards, which include standards for performance-based accountability, high-quality education, and continuous improvement; and

(B) Will ensure compliance with federal law and applicable state laws, policies and standards at a minimum.

(2) The state board annually shall review the information from the system of education performance measures submitted for each school and shall accredit each school as designated in the rule, and consistent with the applicable state laws, policies, and standards; and

(3) Exercise other powers and actions the state board determines necessary to fulfill its duties of general supervision of the schools and school systems of West Virginia.

(l) *School system approval*.—The state board annually shall review the information submitted for each school system from the system of education performance measures and issue to each county board an approval status in compliance with federal law and established by state board rule.

(m) Non-approval for extraordinary circumstances.

(1) The state board shall establish and adopt additional standards to identify school systems in which the program may be non-approved and the state board may issue non-approval status whenever extraordinary circumstances exist as defined by the state board.

(2) When extraordinary circumstances exist, but do not rise to the level of immediate intervention as described in subsection (n) of this section, the state board may declare a state of emergency in the school system and shall direct designees to provide recommendations within 60 days of appointment for correcting the extraordinary circumstances. When the state board approves the recommendations, they shall be communicated to the county board. If progress in correcting the extraordinary circumstances, as determined by the state board, is not made within six months from the time the county board receives the recommendations, the state board shall intervene in the operation of the school system to cause improvements to be made that will provide assurances that a thorough and efficient system of schools will be provided. This intervention may include, but is not limited to, the following:

(A) Limiting the authority of the county board in areas that compromise the delivery of a thorough and efficient education to its students as designated by the state board by rule, which may include delegating decision-making authority regarding these matters to the state superintendent who may:

(B) Declare that the office of the county superintendent is vacant;

(C) Declare that the positions of personnel who serve at the will and pleasure of the county superintendent as provided in §18A-2-1 of this code, are vacant, subject to application and reemployment;

(D) Fill the declared vacancies during the period of intervention; and

(E) Take any direct action necessary to correct the extraordinary circumstance.

(n) Notwithstanding any other provision of this section, the state board may intervene immediately in the operation of the county school system with all the powers, duties and responsibilities contained in subsection (m) of this section, if the state board finds any of the following:

(1) A county board fails to act on a statutory obligation which would interrupt the day-to-day operations of the school system;

(2) That the conditions precedent to intervention exist as provided in this section; and that delaying intervention for any period of time would not be in the best interests of the students of the county school system; or

(3) That the conditions precedent to intervention exist as provided in this section and that the state board had previously intervened in the operation of the same school system and had concluded that intervention within the preceding five years.

(o) *Capacity*.—The process for improving education includes a process for targeting resources strategically to improve the teaching and learning process. Development of electronic school and school system strategic improvement plans, pursuant to subsection (b) of this section, is intended, in part, to provide mechanisms to target resources strategically to the teaching and learning process to improve student, school, and school system performance. When deficiencies are detected through the assessment and accountability processes, the revision and approval of school and school system electronic strategic improvement plans shall ensure that schools and school systems are efficiently using existing resources to correct the deficiencies. When the state

board determines that schools and school systems do not have the capacity to correct deficiencies, the state board shall take one or more of the following actions:

(1) Work with the county board to develop or secure the resources necessary to increase the capacity of schools and school systems to meet the standards and, when necessary, seek additional resources in consultation with the Legislature and the Governor;

(2) Recommend to the appropriate body including, but not limited to, the Legislature, county boards, schools and communities methods for targeting resources strategically to eliminate deficiencies identified in the assessment and accountability processes. When making determinations on recommendations, the state board shall include, but is not limited to, the following methods:

The state board, or its designee, the West Virginia Department of Education, and county school systems, shall work collaboratively in:

(1) Examining reports and electronic strategic improvement plans regarding the performance and progress of students, schools, and school systems relative to the standards and identifying the areas in which improvement is needed;

(2) Determining the areas of weakness and of ineffectiveness that appear to have contributed to the substandard performance and progress of students or the deficiencies of the school or school system;

(3) Determining the areas of strength that appear to have contributed to exceptional student, school, and school system performance and progress and promoting their emulation throughout the system;

(4) Requesting technical assistance from the School Building Authority in assessing or designing comprehensive educational facilities plans;

(5) Recommending priority funding from the School Building Authority based on identified needs;

(6) Recommending special staff development programs from county boards based on identified needs;

(7) Submitting requests to the Legislature for appropriations to meet the identified needs for improving education;

(8) Directing educational expertise and support services strategically toward alleviating deficiencies;

(9) Ensuring that the need for facilities in counties with increased enrollment are appropriately reflected and recommended for funding;

(10) Ensuring that the appropriate person or entity is held accountable for eliminating deficiencies; and

(11) Ensuring that the needed capacity is available from the state and local level to assist the school or school system in achieving the standards and alleviating the deficiencies.

(p) *Building leadership capacity.*—To help build the governance and leadership capacity of a county board during an intervention in the operation of its school system, and to help assure sustained success following return of control to the county board, the county board shall establish goals and action plans, subject to approval of the state superintendent, to improve performance sufficiently to end the intervention within a period of not more than five years. The state superintendent shall maintain oversight and provide assistance and feedback to the county board on development and implementation of the goals and action plans. At a minimum, the goals and action plans shall include:

(1) An analysis of the training and development activities needed by the county board and leadership of the school system for effective governance and school improvement;

(2) Support for the training and development activities identified which may include those made available through the

state superintendent, West Virginia School Board Association, and other sources identified in the goals and action plans; and

(3) Active involvement by the county board in the improvement process, working in tandem with the county superintendent to gather, analyze and interpret data, write time-specific goals to correct deficiencies, prepare and implement action plans and allocate or request from the Department of Education the resources, including board development training and coaching, necessary to achieve approved goals and action plans and sustain system and school improvement.

At least once each year during the period of intervention, the state board shall appoint a designee to assess the readiness of the county board to accept the return of control of the system or school from the state board and sustain the improvements, and shall make a report and recommendations to the state board supported by documented evidence of the progress made on the goals and action plans. The state board may return any portion of control of the operations of the school system or end the intervention in its entirety by a majority vote. If the state board determines at the fifth annual assessment that the county board is still not ready to accept return of control by the state board and sustain the improvements, the state board shall hold a public hearing in the affected county at which the attendance by all members of the county board is requested so that the reasons for continued intervention and the concerns of the citizens of the county may be heard. The state board may continue the intervention only after it holds the public hearing and may require revision of the goals and action plans. The state board must thereafter hold a public hearing after each annual assessment beyond the fifth year. If a school system is in intervention status on the effective date of this provision, the total years of intervention shall be calculated from the date of initial intervention.

Following the termination of an intervention in the operation of a school system and return of full control by the state board, the support for governance education and development shall continue as needed for up to three years. If at any time within this three years, the state board determines that intervention in the operation

of the school system is again necessary, the state board shall again hold a public hearing in the affected county so that the reasons for the intervention and the concerns of the citizens of the county may be heard prior to intervening.;

And,

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

Eng. Com Sub. for Senate Bill 912—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; requiring the program to be composed of benchmark assessments to be given in the first 30 days of the school year, mid-year, and a summative assessment at the end of the school year to determine student progression in reading and mathematics in grades three through eight; and removing obsolete language.

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

Engrossed Committee Substitute for Senate Bill 912, 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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

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. 912) 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, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

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

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, line 4, by changing the number "800" to "900";

And,

On page 3, line 30, following the end of the sentence of the stricken language, by adding the following sentence:

"Upon request of a duly authorized representative of the West Virginia Department of Education, the school's composite results shall be furnished to the State Superintendent of Schools.";

And,

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

Eng. Com. Sub. for Senate Bill 914—A Bill to amend and reenact §18-28-2 and §18-28-3 of the Code of West Virginia, 1931, as amended, relating to certain nonpublic schools; replacing the minimum 180-day instructional term and average of five hours of instruction per day requirements with a minimum instructional term requirement of 900 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; preserving 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.

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

Engrossed Committee Substitute for Senate Bill 914, 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, 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)—33.

The nays were: Garcia—1.

Absent: None.

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. 914) passed with its House of Delegates amended title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, 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. 914) takes effect from passage.

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

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

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

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

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

Eng. Senate Bill 941—A Bill to amend and reenact §19-21A-8 of the Code of West Virginia, 1931, as amended, relating to clarifying certain authority regarding dams owned or sponsored by local conservation districts; providing that any alteration, improvement, or agreement related to a dam owned or sponsored by a local conservation district is subject solely to the authority of the Department of Environmental Protection; and providing that the provisions of this subsection may not be construed to affect or alter any state or federal funding to the West Virginia Conservation Agency.

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

Engrossed Senate Bill 941, 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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Weld—1.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 941) passed with its House of Delegates amended title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, 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. S. B. 941) takes effect from passage.

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, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

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

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 2A. USE OF DIESEL-POWERED EQUIPMENT
IN UNDERGROUND COAL MINES.**

§22A-2A-101. Use of diesel-powered equipment authorized.

Diesel-powered equipment for use in underground coal mines may only be approved, operated, and maintained in accordance with rules, requirements, and standards established pursuant to this article: Provided, That diesel-powered equipment may be moved from one mine, either in or out of the state, to another mine in the state, and operated immediately, so long as the equipment is in compliance with the provisions of this article and the director is notified before the equipment is put in service.;

And,

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

Eng. Senate Bill 942—A Bill to amend and reenact §22A-2A-101 of the Code of West Virginia, 1931, as amended; relating to modifying the requirements for the use and movement of diesel-powered equipment used in mines.

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

Engrossed Senate Bill 942, 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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 942) passed with its House of Delegates amended title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, 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. S. B. 942) takes effect from passage.

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 Senate amendment to, and the passage as amended, of

Eng. Com. Sub. for House Bill 2066, Creating a crime for the destruction of first responder equipment.

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

Eng. Com. Sub. for House Bill 2121, Deceased Disabled Veteran Real Property Exemption for Widowed Spouses.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect June 30, 2025, and requested the concurrence of the Senate in the passage of

Eng. House Bill 3356—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the State Board of Education – State Department of Education, fund 0313, fiscal year 2025, organization 0402, by increasing an existing item of appropriation for the fiscal year ending June 30, 2025.

At the request of Senator Martin, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Martin, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, 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, Willis, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia and Woelfel—2.

Absent: None.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 3356 was then 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, Willis, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia and Woelfel—2.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3356) passed with its title.

Senator Martin moved that the bill take effect from passage.

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

The nays were: Garcia and Woelfel—2.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3356) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence in the changed effective date.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect June 30, 2025, and requested the concurrence of the Senate in the passage of

Eng. House Bill 3357—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, Lottery Net Profits, by adding a new item of appropriation to the State Board of Education, fund 3951, fiscal year 2025, organization 0402 for the fiscal year ending June 30, 2025.

At the request of Senator Martin, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Martin, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, 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, Willis, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia and Woelfel—2.

Absent: None.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 3357 was then read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed House Bill 3357 pass?"

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, Willis, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia and Woelfel—2.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3357) passed with its title.

Senator Martin moved that the bill take effect from passage.

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

The nays were: Garcia and Woelfel—2.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3357) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence in the changed effective date.

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

Eng. House Bill 3360—A Bill expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2025, in the amount of \$28,693,181.72 from the balance of moneys remaining as an unappropriated balance in the West Virginia Economic

Development Authority, Economic Development Project Bridge Loan Fund, fund 9066, organization 0944.

At the request of Senator Martin, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Martin, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, 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.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 3360 was then 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 elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3360) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, 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. H. B. 3360) takes effect from passage.

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 passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3369—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Department of Education, fund 0313, fiscal year 2025, organization 0402, adding a new item of appropriation for the fiscal year ending June 30, 2025

At the request of Senator Martin, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Martin, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, 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.

The bill was read a second time and ordered to third reading.

Engrossed Committee Substitute for House Bill 3369 was then 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 elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3369) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, 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 H. B. 3369) takes effect from passage.

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

The Senate proceeded to the sixth order of business.

At the request of Senator Phillips, and by unanimous consent, Senators Phillips, Smith (Mr. President), Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Woodrum offered the following resolution from the floor:

Senate Resolution 50—Requesting stream and river restoration opportunities that would assist the citizens of West Virginia in addressing existing flooding damage and mitigating the risk of future flooding damage be evaluated and acted upon by the federal government.

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

Thereafter, at the request of Senator Morris, and by unanimous consent, the remarks by Senators Phillips, Rose, Hart, Woodrum, and Jeffries regarding the adoption of Senate Resolution 50 were ordered printed in the Appendix to the Journal.

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

On motion of Senator Martin, at 4:14 p.m., the Senate recessed until 4:45 p.m. today.

The Senate reconvened at 5:48 p.m. and, without objection, returned 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, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Senate Bill 427, Permitting certain teenagers to work without obtaining work permit.

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

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

On page 3, section 3, line 18, following the words "description of job" by inserting the following "supplied by the employer".

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

Engrossed Committee Substitute for Senate Bill 427, 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, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Boley and Tarr—2.

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. 427) passed with its title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, 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 581, Relating to school attendance and student participation in 4-H activities.

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, after the enacting clause by striking out the remainder of the bill and inserting, in lieu thereof, the following:

ARTICLE 8. COMPULSORY SCHOOL ATTENDANCE.

§18-8-4. Duties of attendance director and assistant directors; complaints, warrants, and hearings.

(a) For the purposes of this article, the following definitions apply:

(1) "Excused absence" means:

(A) A medical or dental appointment with written excuse from physician or dentist;

(B) Personal illness or injury of the student accompanied by a timely written excuse from the student's parent, guardian, or custodian: *Provided*, That the total absences under this section combined with absences permitted under paragraph (C) of this subdivision do not exceed more than 10 per school year unless supported by a physician's note: *Provided, however*, That a medically documented chronic health condition or disability that adversely impacts in-person attendance approved by a county

school board or the principal is not subject to this limitation, and that absences of students with disabilities shall be in accordance with the Individuals with Disabilities Education Improvement Act of 2004 and the federal and state regulations adopted in compliance therewith;

(C) Personal illness or injury of the student's parent, guardian, custodian, or family member: *Provided*, That the excuse must provide a reasonable explanation for why the student's absence was necessary and caused by the illness or injury in the family, and the total absences under this section in combination with paragraph (B) of this subdivision may not exceed more than 10 excuses per school year;

(D) Death in the family;

(E) School-approved or county-approved curricular or extra-curricular activities;

(F) A judicial obligation or court appearance involving the student; ~~and~~

(G) A military requirement for students enlisted or enlisting in the military-;

(H) Up to five college visits; and

(I) A student in any West Virginia Department of Education recognized and sanctioned student organization to enhance student enrichment and success, including but not limited to SkillsUSA, Future Business Leaders of America (FBLA), Health Occupations Students of America (HOSA), the Common Ground Partnership, or 4-H or FFA sanctioned activity or program, subject to the following:

(i) A student who participates in an activity or program sanctioned in subsection (I) shall be credited as present by the school in which the student is enrolled in the same manner as a student participating in an educational field trip. A school principal, or the principal's designee, shall not count a student

absent for participating in an activity or program sanctioned in subsection (I).

(ii) An agent of a sanctioned organization set forth in in subsection (I) shall provide documentation as proof of a student's participation in an activity or program sanctioned in subsection (I) at least five days prior to the activity or program.

(iii) A student shall make up any schoolwork missed while the student was participating in an activity or program sanctioned by subsection (I), and shall not have the student's class grades adversely affected for lack of attendance or participation due to the student's participation in an activity or program sanctioned in subsection (I).

(iv) A school principal, or the principal's designee, shall not credit a student who participates in an activity or program sanctioned in subsection (I) as present if the student's participation in the activity or program sanctioned in subsection (I) occurs during any period of time for which the student has been suspended, expelled, or assigned to an alternative school or alternative program under this chapter and the student's suspension, expulsion, or assignment to an alternative school or alternative program would preclude the student from participating in an educational field trip.

(J) The total amount of excused absences under sections E, H and I of this section may not exceed more than 10 per school year.

(K) Nothing in this section shall interfere with the Every Student Succeeds Act (ESSA), 2015), which does not differentiate between excused and unexcused absences.

(2) "Meaningful contact" means two-way communication by the school administrator or other school designee and the student's parent, guardian, or custodian to discuss the student's attendance record in an effort to prevent subsequent truancy or other legal proceedings relating to compulsory school attendance, and to minimize additional absences. Methods of meaningful contact

include, but are not limited to, phone calls, video conferencing, home visits, and the use of digital platforms.

(3) "System of Support Plan" ("SOS Plan") refers to a plan to be developed by the State Board of Education designed to encourage students to attend school. It shall, at a minimum, require county attendance directors, principals, or other school designees to make periodic contact with the parent, guardian, or custodian of a student subject to compulsory school attendance to ascertain the reason or reasons for the student's absence or absences and what measures the school may employ to assist the student in attending school and not incurring additional absences. It shall also impart upon the student's parents, guardians, and custodians the importance of the student's attendance and the seriousness of failing to do so.

(4) "Unexcused absence" means any absence not specifically included in the definition of "excused absence".

(b) The county attendance director and his or her assistants shall diligently promote regular school attendance. The director and assistants shall:

(1) Ascertain the reasons for unexcused absences from school of students of compulsory school age; and students who remain enrolled beyond the compulsory school age;

(2) Ensure the implementation of the SOS Plan as developed by the state board, including encouraging the attendance of students and imparting upon the parents, guardians, and custodians the important of attendance and the seriousness of failing to do so.

(c) All documentation relating to absences shall be provided to the school no later than three instructional days after the first day the student returns to school. In the event documentation is not provided to the school within three instructional days after the first day the student returns to school, the absences are unexcused.

(d) In the case of three total unexcused absences of a student during a school year, the attendance director, his or her assistant, or the principal shall make meaningful contact with the parent,

guardian, or custodian of the student to ascertain the reasons for the unexcused absences and what measures the school may employ to assist the student in attending and not incurring any additional unexcused absences.

(e) In the case of five total unexcused absences, the attendance director, his or her assistant or the principal shall again make meaningful contact with the parent, guardian, or custodian of the student to ascertain the reasons for the unexcused absences and what measures the school may employ to assist the student in attending school and not incurring any additional unexcused absences.

(f) In the case of 10 total unexcused absences of a student during a school year, the attendance director or assistant may make a complaint against the parent, guardian, or custodian before a magistrate of the county. If it appears from the complaint that there is probable cause to believe that an offense has been committed and that the accused has committed it, a summons or a warrant for the arrest of the accused shall issue to any officer authorized by law to serve the summons or to arrest persons charged with offenses against the state. More than one parent, guardian, or custodian may be charged in a complaint. Initial service of a summons or warrant issued pursuant to the provisions of this section shall be attempted within 10 calendar days of receipt of the summons or warrant and subsequent attempts at service shall continue until the summons or warrant is executed or until the end of the school term during which the complaint is made, whichever is later.

(g) The magistrate court clerk, or the clerk of the circuit court performing the duties of the magistrate court as authorized in §50-1-8 of this code, shall assign the case to a magistrate within 10 days of execution of the summons or warrant. The hearing shall be held within 20 days of the assignment to the magistrate, subject to lawful continuance. The magistrate shall provide to the accused at least 10 days' advance notice of the date, time, and place of the hearing.

(h) When any doubt exists as to the age of a student absent from school, the attendance director and his or her assistants may require

a properly attested birth certificate or an affidavit from the parent, guardian, or custodian of the student stating the age of the student. In the performance of his or her duties, the county attendance director and his or her assistants have authority to take without warrant any student absent from school in violation of the provisions of this article and to place the student in the school in which he or she is or should be enrolled.

(i) The county attendance director and his or her assistants shall devote as much time as is required to the duties of attendance director in accordance with this section during the instructional term and at any other times as the duties of an attendance director are required. All attendance directors and assistants hired for more than 200 days may be assigned other duties determined by the superintendent during the period in excess of 200 days. The county attendance director is responsible under direction of the county superintendent for efficiently administering school attendance in the county.

(j) In addition to those duties directly relating to the administration of attendance, the county attendance director and his or her assistant directors also shall perform the following duties:

(1) Assist in directing the taking of the school census to see that it is taken at the time and in the manner provided by law;

(2) Confer with principals and teachers on the comparison of the school census and enrollment for the detection of possible nonenrollees;

(3) Cooperate with existing state and federal agencies charged with enforcing child labor laws;

(4) Promote attendance in the county by compiling data for schools and by furnishing suggestions and recommendations for publication through school bulletins and the press, or in any manner directed by the county superintendent;

(5) Participate in school teachers' conferences with parents and students;

(6) Assist in any other ways directed by the county superintendent for improving school attendance;

(7) Make home visits of students who have excessive unexcused absences, as provided in subsection (a) of this section, or if requested by the chief administrator, principal, or assistant principal; and

(8) Serve as the liaison for homeless children and youth.;

And,

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

Eng. Com. Sub. for Senate Bill 581—A Bill to amend and reenact §18-8-4 of the Code of West Virginia, 1931, as amended, relating to expanding the definition of an excused absence; including up to five college visits in the definition of excused absence; including a student in any West Virginia Department of Education recognized and sanctioned student organization to enhance student enrichment and success, including but not limited to SkillsUSA, Future Business Leaders of America (FBLA), Health Occupations Students of America (HOSA), the Common Ground Partnership, or 4-H or FFA sanctioned activity or program in the definition of excused absence; providing that the student be credited as present in the same manner as a student participating in an educational field trip; providing that the student not be counted as absent; addressing makeup of missed schoolwork and the student's class grades; addressing student sanctioned program participation during any period of time the student has been suspended, expelled, or assigned to an alternative school or program; providing that an agent of a sanctioned organization shall provide documentation as proof of a student's participation in an activity or program sanctioned in subsection (I) at least five days prior to the activity or program; providing that the total amount of excused absences may not exceed more than 10 per school year; and providing that nothing in this section shall interfere with the Every Student Succeeds Act (ESSA).

On motion of Senator Martin, the following amendments to the House of Delegates amendments to the bill (Eng. Com. Sub. for S. B. 581) were reported by the Clerk, considered simultaneously, and adopted:

On pages 2 and 3, section 4, lines 23 through 46, by striking out all of paragraph (I) and inserting in lieu thereof a new paragraph (I) to read as follows:

(I) A student in any West Virginia Department of Education recognized and sanctioned student organization to enhance student enrichment and success, including but not limited to SkillsUSA, Future Business Leaders of America (FBLA), Health Occupations Students of America (HOSA), the Common Ground Partnership, or 4-H or FFA sanctioned activity or program, subject to the following:

(i) A student who participates in an activity or program sanctioned in paragraph (I) shall be credited as present by the school in which the student is enrolled in the same manner as a student participating in an educational field trip. A school principal, or the principal's designee, shall not count a student absent for participating in an activity or program sanctioned in paragraph (I).

(ii) An agent of a sanctioned organization set forth in in paragraph (I) shall provide documentation as proof of a student's participation in an activity or program sanctioned in paragraph (I).

(iii) A student shall make up any schoolwork missed while the student was participating in an activity or program sanctioned by paragraph (I) and shall not have the student's class grades adversely affected for lack of attendance or participation due to the student's participation in an activity or program sanctioned in paragraph (I).

(iv) A school principal, or the principal's designee, shall not credit a student who participates in an activity or program sanctioned in paragraph (I) as present if the student's participation in the activity or program sanctioned in paragraph (I) occurs during any period of time for which the student has been suspended, expelled, or assigned to an alternative school or alternative

program under this chapter and the student's suspension, expulsion, or assignment to an alternative school or alternative program would preclude the student from participating in an educational field trip.;

And,

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

Eng. Com. Sub. for Senate Bill 581—A Bill to amend and reenact §18-8-4 of the Code of West Virginia, 1931, as amended, relating to expanding the definition of an excused absence; including up to five college visits in the definition of excused absence; including a student in any West Virginia Department of Education recognized and sanctioned student organization to enhance student enrichment and success, including but not limited to SkillsUSA, Future Business Leaders of America (FBLA), Health Occupations Students of America (HOSA), the Common Ground Partnership, or 4-H or FFA sanctioned activity or program in the definition of excused absence; providing that the student be credited as present in the same manner as a student participating in an educational field trip; providing that the student not be counted as absent; addressing makeup of missed schoolwork and the student's class grades; addressing student sanctioned program participation during any period of time the student has been suspended, expelled, or assigned to an alternative school or program; providing that an agent of a sanctioned organization shall provide documentation as proof of a student's participation in a sanctioned activity or program; providing that the total amount of certain excused absences may not exceed more than 10 per school year; and providing that nothing in this section shall interfere with the Every Student Succeeds Act (ESSA).

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Senate Bill 581, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—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. 581) passed with its Senate amended 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 Jeffries, unanimous consent being granted, the Senate returned to the second order of business and the introduction of guests.

The Senate again 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, and requested the concurrence of the Senate in the House of Delegates amendment, as to

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

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

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

On page 9, by striking section 8b in its entirety and inserting in lieu thereof a new section 8b to read as follows:

§30-4-8b. License or registration requirements to practice teledentistry; rules; and penalties.

(a) A person may not provide dental services through teledentistry to a patient who is located at an originating site in this state unless the person:

(1) Is licensed pursuant to this article or registered pursuant to §30-1-1 *et seq.* of this code to practice dentistry or dental hygiene in this state; and

(2) Possesses and maintains a policy of professional liability insurance which insures the provider against any liability arising from the provision of dental services.

(b) A provider who provides dental services through teledentistry including, without limitation, providing consultation and recommendations for treatment, issuing a prescription, diagnosing, or correcting the position of teeth and using orthodontic appliances shall provide such services in accordance with the same standards of care and professional conduct as when providing those services in person or by other means.

(1) A provider may not:

(A) Provide treatment for any condition based solely on the results of an online questionnaire;

(B) Engage in activity that is outside his or her scope of practice while providing services through teledentistry; or

(C) Delegate to a dental hygienist, dental assistant, dental auxiliary, or any other individual any act or duty through teledentistry that requires the in-person supervision of a licensed or registered dentist or that is otherwise outside such individuals permissible scope of practice.

(c) Except as otherwise provided for in §30-4-8b(d), a provider shall establish a bona fide relationship with a patient before providing services to a patient through teledentistry. A bona fide

relationship between a patient and a provider shall exist if the provider has:

(1) Reviewed the patient's relevant history, medical records, diagnostic records, and, if treatment is for the correction of a malposition of teeth, the patient's current radiographic records;

(A) "Current radiographic records" means those radiographs or images taken contemporaneously; and

(B) Occurring with the in-person examination.

(2) Performed an appropriate, in-person, physical examination of the patient for the purpose of diagnosing, assessing, developing a treatment plan, or determining the patient's current medical or dental condition; and

(3) A reasonable expectation that he or she provide in-person follow-up care and treatment to the patient on a regular basis.

(d) Notwithstanding the limitations provided in §30-4-8b(c), a provider may establish a relationship with a patient through teledentistry only:

(1) For the purpose of emergent care;

(2) In connection with a public health program; or

(3) To make an initial diagnosis of a malposition of teeth and a determination of the need for an orthodontic appliance. An initial diagnosis and determination must be confirmed through an in-person visit and review of the patient's current radiographic records before the patient begins using the orthodontic appliance.

(e) Prior to the provision of services to a patient through teledentistry, a provider shall:

(1) Confirm the identity of the patient;

(2) If the patient is a minor who is not authorized by law to consent to the services, confirm that the parent or legal guardian of the patient is present;

(3) Confirm that the patient is located in a jurisdiction where the provider is licensed or otherwise authorized to practice and document the location of the patient in the record of the patient;

(4) Obtain:

(A) Informed written consent that meets the requirements of §30-4-8b(g) from a patient who is an adult or a minor authorized by law to provide consent; or

(B) Informed written consent that meets the requirements of §30-4-8b(g) from the parent or guardian of a patient who is a minor and is not authorized by law to provide consent; and

(5) Document the informed consent provided pursuant this subsection in the record of the patient.

(f) Prior to providing services through teledentistry and upon the request of a patient to whom services are provided through teledentistry, a provider or any partnership, corporation, or other entity through which a provider provides services shall make available to the patient proof of the identity of the provider, the telephone number of the provider, the address at which the provider practices, the license or registration number of the provider, and any other relevant information concerning the qualifications of the provider, and any other provider who shall be involved in providing the services through teledentistry.

(g) Informed consent to the provision of services through teledentistry requires the patient or his or her parent or guardian to be informed of:

(1) The types of services that will be provided through teledentistry and any limitations on the provision of those services through teledentistry;

(2) The information prescribed by §30-4-8b(f) for each provider who shall provide services through teledentistry;

(3) Precautions to be taken in the event of a technological failure or an emergency; and

(4) Any other information prescribed by legislative rule of the board.

(h) Except in situations requiring emergency treatment, a dentist of record is required for all patients being treated through teledentistry. The dentist of record shall remain primarily responsible for all dental treatment of the patient, regardless of whether treatment has been delegated to a teledentistry provider.

(i) No provider, partnership, corporation, or other entity which provides, or purports to provide teledentistry services or provides a platform, technology, or support services through which teledentistry is provided, may advertise their services unless they employ a provider licensed or registered in this state. Advertisements for teledentistry services must include the following disclaimer, in a conspicuous location, stating the limitations and safety concerns regarding teledentistry:

DISCLAIMER: Orthodontic treatment is a complex biological process that if not done correctly or performed without a thorough examination of the overall health of the teeth and gums could result in the permanent loss of teeth, which may result in additional costs or lifelong dental problems. Teledentistry services are intended to supplement traditional treatment methods and are not intended to replace in-person examinations. It is important to consult with a licensed or registered orthodontist or dentist prior to beginning any treatment.

(j) A provider who provides services through teledentistry shall:

(1) Use communications technology that complies with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191; and

(2) Create a complete record of each encounter with a patient through teledentistry and maintain such records in accordance with applicable federal and state laws and regulations.

(k) (1) A provider who provides services through teledentistry must be adequately familiar with the nature and availability of

dental care in the geographical area in which the patient is located to ensure that the patient receives appropriate care during the provision of the services.

(2) If a provider is not able to competently provide services through teledentistry, including, without limitation, because the provider is unable to receive adequate information about the patient, the provider must notify the patient of that fact and:

(A) Provide the services in person;

(B) Request any additional information necessary to competently provide the services through teledentistry; or

(C) Refer the patient to an appropriate licensee or registrant to receive the services in person.

(l) A dentist may only delegate tasks to auxiliaries including, but not limited to, dental hygienists and dental assistants, to the extent permitted by existing law.

(m) A provider who provides services through teledentistry shall refer a patient to the emergency department of a hospital or another provider of acute care in an emergency or any other situation where the provision of acute care is necessary to protect the health and safety of the patient.

(n) The board shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code regulating dental services offered through teledentistry. Those rules shall include:

(1) The issuance of prescriptions through teledentistry, consistent with the limitations in §30-1-26(b)(5) of this code;

(2) The maintenance of records concerning patients to whom services are provided through teledentistry and the protection of the privacy of such patients;

(3) The development of evidence-based standards;

(4) The use of teledentistry for collaboration between:

(A) Providers and the office of a physician, physician assistant, or advanced practice nurse; and

(B) Providers who practice in different specialty areas; and

(5) Interaction between providers using teledentistry including, without limitation:

(A) The supervision of a dental hygienist by a dentist using teledentistry; and

(B) Interaction between different providers who are providing care to the same patient.

(6) Evidence-based standards of practice that shall be used when providing services through teledentistry to ensure the safety of patients, the quality of care, and positive outcomes.

(o) It shall be considered unprofessional conduct to:

(1) Fail to actively involve a patient in decisions concerning his or her treatment;

(2) Require a patient to enter into an agreement that restricts the ability of the patient to submit a complaint to the board, file a lawsuit, join a class action lawsuit, make reports to any governmental entity, to require the patient to submit to binding arbitration, or to otherwise limit or prohibit the patient from obtaining relief for deficiencies in the treatment or services they have received;

(3) Fail to perform an in-person examination of a patient or fail to review a patient's diagnostic and radiographic images taken concurrently with the in-person visit prior to initiating treatment, except for those situations enumerated in §30-4-8b(d) of this code;

(4) Fail to review diagnostic digital or conventional radiographs for orthodontia before:

(A) Taking any action to correct a malposition of teeth; or

(B) The initial use of an orthodontic appliance;

(5) Delegate to an auxiliary a task or service that is not indicated or permitted by existing law to be performed by that individual; or

(6) Failure to comply with the requirements of §30-4-8b(f) of this code.

(p) In addition to the grounds for disciplinary action authorized by this article, the board may also take disciplinary action against any provider who is found to be practicing teledentistry in violation of any section or has committed any of the acts specified in §30-4-8b(o) of this code.

(r) The process for instituting and conducting disciplinary proceedings against a teledentistry provider pursuant to this act shall be the same process as that contained in the Dental Practice Act for disciplinary actions.

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

Engrossed Committee Substitute for Senate Bill 710, 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, 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)—33.

The nays were: None.

Absent: Boley—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. 710) passed with its title.

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

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

Eng. Com. Sub. for Senate Bill 825, Permitting higher education institutions enter agreements with non-profit organizations for economic development and job creation.

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 one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

**ARTICLE 12. RESEARCH AND DEVELOPMENT,
ECONOMIC DEVELOPMENT, AND ATHLETICS
AGREEMENTS FOR STATE INSTITUTIONS OF
HIGHER EDUCATION.**

§18B-12-1. Definitions.

The following words used in this article shall, unless the context clearly indicates a different meaning, be construed as follows:

(1) "Agreement" means any agreement being entered into between a governing board and a corporation pursuant to ~~section four~~ §18B-12-4 or §18B-12-11 of this ~~article~~ code.

(2) "Corporation" means a nonstock, not-for-profit corporation established under the general corporation laws of the state which meets the description presented by ~~section three~~ §18B-12-3 or §18B-12-11 of this ~~article~~ code.

(3) "Corporate directors" means the board of directors of a corporation.

§18B-12-2. Legislative findings and purpose.

(a) The Legislature finds and determines that the future economic development in the state will depend in part upon research developed at the state institutions of higher education, and enhanced research opportunities for state institutions of higher education will promote the general economic welfare of the citizens of the state. In order to enhance the competitive position of state institutions of higher education in the current environment for research and development, expenditures for equipment and material for research projects must be handled in an expeditious fashion, and the acquisition and utilization of research grants can be simplified and expedited through the utilization of private corporations.

(b) The interest of the citizens of the state will be best met by agreements entered into and carried out by the governing boards and corporations to provide research assistance for state institutions of higher education. Therefore, in order to facilitate research and development grants, economic development, and opportunities for state institutions of higher education, it is appropriate to authorize the governing boards to contract with private corporations organized for the purpose of providing such services to state institutions of higher education or established exclusively for purposes of economic development and job creation.

(c) The Legislature further finds and determines that in order to foster and enhance the operational success and competitive nature of intercollegiate athletics in the current environment, the state institutions of higher education will benefit from utilization of private corporations to conduct operational, economic, fiscal, and educational development activities and services related to intercollegiate athletics' programs.

§18B-12-11. Agreements with corporations solely for economic development.

(a) Notwithstanding any other provision of this article to the contrary, any state institution of higher education may enter into an

agreement with a nonstock, not-for-profit corporation which qualifies as an exempt organization under section 501(c) of the Internal Revenue Code of 1986, as amended, established under corporation laws of the state exclusively for purposes of economic development and job creation.

(b) Each governing board for a state institution of higher education may enter into agreements and any other contractual relationships with one or more corporations described in subsection (a) of this section under such terms as are mutually agreed upon to foster future economic development in the state. For purposes of this section:

(1) The president and the president's appointees from the institution may, but are not required to, serve as the corporation's voting corporate directors;

(2) The meetings of the corporate directors are exempt from the provisions of §6-9A-3 of this code;

(3) The assets of the corporation are not subject to the provisions of §18B-12-3 of this code;

(4) The corporation and agreements between the corporation and the state institution of higher education are not subject to the provisions of §18B-12-4 of this code; and

(5) The corporation may be designated as the economic development entity for the state institution of higher education.;

And,

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

Eng. Com. Sub. for Senate Bill 825—A Bill to amend and reenact §18B-12-1 and §18B-12-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18B-12-11, relating to permitting higher education institutions to enter into agreements with certain nonprofit organizations; defining terms; clarifying legislative findings and

purpose to facilitate economic development and foster and enhance the operational success and competitive nature of intercollegiate athletics; permitting agreements for purposes of economic development and job creation; and establishing powers to govern the business relationship of any state higher education institution and nonprofit corporation contracting for such economic development purposes.

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

Engrossed Committee Substitute for Senate Bill 825, 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, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Martin, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: Hart and Maynard—2.

Absent: Boley—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. 825) passed with its House of Delegates amended title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—1.

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. 825) takes effect from passage.

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. Senate Bill 907, Relating to high impact development projects.

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, after the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

ARTICLE 15. WEST VIRGINIA ECONOMIC DEVELOPMENT AUTHORITY.

§31-15-23a. Economic Development Project Fund.

(a) For the purposes of this section:

"Eligible broadband provider" has the meaning provided in §31-15-8a of this code.

"Federally funded broadband expansion program" has the meaning provided in §31-15-8a of this code.

"High-impact development project" means a project meeting the following criteria, according to a resolution adopted by the authority:

(A) The Governor has requested, in writing, that the project be approved for financing certain economic development financial assistance by the authority in an amount of \$50 million or greater;

(B) The industrial development agency or enterprise undertaking the project will privately invest an amount of \$50 million or greater in the project; and

(C) The project meets or exceeds the loan per job ratio criteria for high-impact development projects that may be established, in consultation with the Secretary of the Department of ~~Economic Development~~ Commerce and the Executive Director of the Division of Economic Development, by the board of directors. In assessing a project and the economic development financial assistance package proposed by the Governor, the board of directors shall take regional and local economic factors into account when making a determination that the loan per job ratio criteria has been met.

(b) There is hereby created a special revenue fund in the State Treasury known as the Economic Development Project Fund. The fund shall consist of all moneys appropriated to the authority during the regular session of the Legislature, 2022, from available revenue surplus funds; transfers from the Industrial Development Loans Fund; gifts, grants, and contributions to the fund; any earnings or interest accruing to said fund; and any other moneys appropriated to said fund by the Legislature. The authority may invest and reinvest moneys in the fund with the West Virginia Investment Management Board or the Board of Treasury Investments.

(c) The authority may transfer funds in the Industrial Development Loans Fund to the Economic Development Project Fund created by this section and any loan repayments or other amounts that would otherwise have been paid into the Industrial

Development Loans Fund may be paid into the Economic Development Project Fund created by this section.

(d) The authority may use moneys in the Economic Development Project Fund to offer incentives for business formation or expansion and provide assistance with site development or other concerns to industrial development agencies or enterprises according to the requirements of this article as set forth in this subsection: Provided, That annually up to \$30 \$20 million dollars may be exempted from the requirements of the high-impact development project definition and be allowable to be spent out of the Economic Development Project Fund.

(1) *High-impact development projects.*—In addition to any powers granted to the authority under any other section of this code, the authority may finance any high-impact development project under this section by offering incentives for business formation or expansion to industrial development agencies or enterprises in this state in the form of loans, grants, or other offers of financial assistance or aid upon such terms as the Governor may request and the authority shall deem appropriate: ~~Provided, That moneys available to fund such high-impact development projects may not exceed \$300 million dollars annually, unless otherwise appropriated by the Legislature or increased by interest payments received pursuant to this subsection~~ That the board of directors shall consider the overall availability of funds in the Economic Development Project Fund and the Industrial Development Loan Fund in making determinations related to economic development financial assistance packages for high-impact development projects. Funds which are paid back to the authority as principal pursuant to this subsection may be utilized and reloaned by the authority for the same purpose. Any interest accruing shall be retained and made available for high-impact projects as set forth in this subsection and shall not revert to the General Revenue Fund.

(2) *Traditional loans.*—The authority may finance any economic development project under this section by offering incentives for business formation or expansion to industrial development agencies or enterprises in this state in the form of loans, which shall be repaid to provide financing for subsequent

borrowers: *Provided*, That moneys available to fund such traditional loans may not exceed \$250 million dollars annually, on a rolling basis, unless otherwise appropriated by the Legislature or increased by interest payments received pursuant to this subsection. Funds which are paid back to the authority as principal pursuant to this subsection may be utilized and reloaned by the authority for the same purpose. Any interest accruing shall be retained and made available for traditional loans as set forth in this subsection and shall not revert to the General Revenue Fund.

(3) *Business retention projects.*—The authority may finance any economic development project under this section by offering incentives for business development and expansion to industrial development agencies or enterprises already existing and operating in the state of West Virginia in the form of loans, which shall be repaid to provide financing for subsequent borrowers:—*Provided*, That moneys available to fund such business retention loans may not exceed \$50 million dollars annually, on a rolling basis, unless otherwise appropriated by the Legislature or increased by interest payments received pursuant to this subsection. Funds which are paid back to the authority as principal pursuant to this subsection may be utilized and reloaned by the authority for the same purpose. Any interest accruing shall be retained and made available for business retention projects as set forth in this subsection and shall not revert to the General Revenue Fund.

(4) *Federal broadband expansion projects.* – The authority may use moneys in the fund to provide incentives for eligible broadband providers to participate in federally funded broadband expansion programs: *Provided*, That the moneys available for such incentives may not exceed \$25 million annually, on a rolling basis, unless otherwise appropriated by the Legislature or increased by interest payments or investment earnings on said moneys.

(5) *Broadband loan insurance.* – The authority may transfer moneys from the fund to the Insurance Fund, created in §31-15-8 of this code, in amounts necessary to issue loan insurance to eligible broadband providers: *Provided*, That the moneys available for transfer pursuant to this subdivision may not exceed \$125 million annually, on a rolling basis, unless otherwise appropriated

by the Legislature or increased by interest payments or investment earnings on said moneys. With regard to any loan insurance issued using the moneys transferred pursuant to this subdivision, the authority shall follow the requirements of §31-15-8a of this code.

(e) The authority shall keep itemized records of all fund transactions and agreements entered into in furtherance of the Economic Development Project Fund expenditures. In administering the fund, the authority shall adopt appropriate accounting practices and internal controls, including, but not limited to, strict compliance with the requirements of §5A-8-9 of this code. Fund transactions shall be subject to an annual audit by an independent firm of certified public accountants.

(f) The authority shall prepare and submit to the Joint Committee on Government and Finance and the Governor an annual report addressing the status of each project with outstanding financing issued pursuant to this section. The report shall, at a minimum, provide project-specific data addressing:

(1) The outstanding amount of authority financing for each project;

(2) The total amount of private investment in each project;

(3) The number of jobs created by each project since the project's inception; and

(4) The number of jobs maintained by each project.

(g) Except for the records and audit required under subsection (e) of this section, and the annual reports required under subsection (f) of this section, any documentary material, data, or other writing made or received by the authority relating to high-impact development projects under this section, shall be exempt from §29B-1-1 *et seq.* of this code: *Provided*, That any agreement or resolution entered into or signed by the authority which obligates public funds for any high-impact development project shall be subject to inspection and copying pursuant to §29B-1-1 *et seq.* of this code as of the date the agreement or resolution is entered into, signed, or otherwise made public.;

And,

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

Eng. Senate Bill 907—A Bill to amend and reenact §31-15-23a of the Code of West Virginia, 1931, as amended, relating to the definition of "high-impact development projects" reviewed and approved by the West Virginia Economic Development Authority board; allowing for consideration of regional and local economic factors when making a determination that the loan per job ratio criteria has been met in assessing a project and the economic development assistance package proposed by the Governor; providing for up to \$20 million annually to be exempted from the requirements of the high-impact development project definition and be allowable to be spent out of the Economic Development Project Fund; removing the \$300 million cap on moneys available to fund high-impact development projects; and providing that the board of directors shall consider the overall availability of funds in the Economic Development Project Fund and the Industrial Development Loan Fund in making determinations related to economic development financial assistance packages for high-impact development projects.

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

Engrossed Senate Bill 907, 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, 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, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: Hart and Willis—2.

Absent: Boley—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 907) 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 Senate amendments, as amended by the House of Delegates, passage as amended with its Senate amended title, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendments, as to

Eng. Com. Sub. for House Bill 2797, Relating to who may diagnose post-traumatic stress disorder as a compensable injury or disease under workers compensation.

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

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

On pages 3-4 by striking subsection (e) and subsection (f) in their entirety.

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

Engrossed Committee Substitute for House Bill 2797, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—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 H. B. 2797) passed with its Senate 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 Com. Sub. for Senate Bill 586, Relating to requirements for filling vacancies in certain elected federal, state, and county offices.

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:

CHAPTER 3. ELECTIONS.

ARTICLE 10. FILLING VACANCIES.

§3-10-3. Vacancies in offices of state officials, justices, judges, and magistrates.

(a) Any vacancy occurring in the offices of Secretary of State, Auditor, Treasurer, Attorney General, Commissioner of Agriculture, or in any office created or made elective to be filled

by the voters of the entire state, is filled by the Governor of the state by appointment and subsequent election to fill the remainder of the term, if required by §3-10-1 of this code. The Governor shall make the appointment from a list of three legally qualified persons submitted by the party executive committee of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time ~~the vacancy occurred~~ of the previous election for that office. The list of qualified persons to fill the vacancy shall be submitted to the Governor within 15 days after the vacancy occurs, and the Governor shall duly make his or her appointment to fill the vacancy from the list of legally qualified persons within five days after the list is received. If the list is not submitted to the Governor within the 15-day period, the Governor shall appoint, within five days thereafter, a legally qualified person of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time ~~the vacancy occurred~~ of the previous election: *Provided*, That any such person appointed by the Governor must have been affiliated with that political party for at least one year prior to the occurrence of the vacancy: *Provided, however*, That the Governor may appoint a temporary acting official in the event of a vacancy in the offices of Secretary of State, Auditor, Treasurer, Attorney General, or Commissioner of Agriculture to carry out the duties of said office until such vacancy is filled by appointment pursuant to this subsection: *Provided further*, That the provisions of this subsection do not apply to §3-10-3(b), §3-10-3(c), §3-10-3(d), and §3-10-3(e) of this code.

(b) Any vacancy occurring in the offices of Justice of the Supreme Court of Appeals, judge of the Intermediate Court of Appeals, judge of a circuit court, or judge of a family court is filled by the Governor of the state by appointment and, if the unexpired term be for a period of more than three years, by a subsequent election to fill the remainder of the term, as required by §3-10-3(d) of this code. If an election is required under §3-10-3(d) of this code, the Governor, circuit court, or the chief judge thereof in vacation, is responsible for the proper proclamation by order and notice required by §3-10-1 of this code. The amendments to this subsection enacted during the regular session of the Legislature in

the year 2022 shall be applicable to any vacancy existing at the date of passage of such amendments.

(c) Any vacancy in the office of magistrate is appointed according to the provisions of §50-1-6 of this code, and, if the unexpired term be for a period of more than two years, by a subsequent nonpartisan judicial election held concurrently with the primary or general election, whichever occurs first, to fill the remainder of the term, ~~as required by §3-10-3(d) of this code.~~

(d)(1) When the vacancy in the office of Justice of the Supreme Court of Appeals, judge of the Intermediate Court of Appeals, judge of the circuit court, or judge of a family court, ~~or magistrate~~ occurs after the 84th day before a general election, and the affected term of office ends on December 31 following the succeeding general election two years later, the person appointed to fill the vacancy shall continue in office until the completion of the term.

(2) When the vacancy occurs before the close of the candidate filing period for the primary election, and if the unexpired term be for a period of greater than three years, the vacancy shall be filled by election in the nonpartisan judicial election held concurrently with the primary election and the appointment shall continue until a successor is elected and certified.

(3) When the vacancy occurs after the close of candidate filing for the primary election and not later than 84 days before the general election, and if the unexpired term be for a period of greater than three years, the vacancy shall be filled by election in a nonpartisan judicial election held concurrently with the general election, and the appointment shall continue until a successor is elected and certified: Provided, That the provisions of this subsection (d) do not apply to a vacancy in the office of magistrate.

(e) When an election to fill a vacancy is required to be held at the general election, according to the provisions of §3-10-3(d) of this code, a special candidate filing period shall be established. Candidates seeking election to any unexpired term for Justice of the Supreme Court of Appeals, judge of the Intermediate Court of Appeals, judge of a circuit court, judge of the family court, or

magistrate shall file a certificate of announcement and pay the filing fee no earlier than the first Monday in August and no later than 77 days before the general election.

§3-10-4. Vacancies in representation in United States Congress.

(a) (1) If there is a vacancy in the representation from this state in the House of Representatives in the Congress of the United States, the Governor shall, within five days after the fact comes to his or her knowledge, issue a proclamation setting dates for a special general election that is not less than 84 nor more than 120 days from the date of the vacancy and requiring nomination of candidates as provided in §3-10-4(a)(2) of this code: *Provided*, That no such proclamation may be made nor may a special election be held if the vacancy occurs after the 84th day prior to the regularly scheduled general election for a new full term of the office. The election shall follow the requirements of §3-10-1 of this code that are not in conflict with this section.

(2) The party executive committees for the congressional district for which there is a vacancy shall each, within 30 days of the Governor's proclamation, nominate a candidate to stand at the general election required by §3-10-4(a)(1) of this code.

(b) If there is a vacancy in the representation from this state in the Senate of the United States Congress, the vacancy shall be filled by the Governor of the state by appointment. The Governor shall make the appointment from a list of three legally qualified persons submitted by the party executive committee of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time ~~the vacancy occurred~~ of the previous election for that office. The list of qualified persons to fill the vacancy shall be submitted to the Governor within 15 days after the vacancy occurs, and the Governor shall duly make his or her appointment to fill the vacancy from the list of legally qualified persons within five days after the list is received. If the list is not submitted to the Governor within the 15-day period, the Governor shall appoint, within five days thereafter, a legally qualified person of the same political party with which the person holding the office immediately preceding

the vacancy was affiliated at the time ~~the vacancy occurred~~ of the previous election for that office: *Provided, That any such person appointed by the Governor must have been affiliated with that political party for at least one year prior to the occurrence of the vacancy.*

Furthermore,

(1) If the vacancy occurs on or before the primary cutoff date, then an election shall be held pursuant to §3-10-1 of this code; or

(2) If the vacancy occurs after the primary cutoff date, but on or before the general cutoff date, then the Governor shall issue a proclamation providing for: (A) A special filing period; (B) a special primary election to be held in conjunction with the upcoming general election; and (C) a special general election to be held not less than 84 nor more than 120 days following the date of the special primary election. Each election shall follow the requirements of §3-10-1 of this code that are not in conflict with this section.

§3-10-5. Vacancies in state Legislature.

(a) Any vacancy in the office of state senator or member of the House of Delegates shall be filled by appointment by the Governor, from a list of three legally qualified persons submitted by the ~~party executive committee~~ party senatorial district executive committee or party delegate district executive committee, as applicable, of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time ~~the vacancy occurred~~ of the previous election for that office. The list of qualified persons to fill the vacancy shall be submitted to the Governor within 15 days after the vacancy occurs and the Governor shall duly make his or her appointment to fill the vacancy from the list of legally qualified persons within five days after the list is received. If the list is not submitted to the Governor within the 15-day period, the Governor shall appoint within five days thereafter a legally qualified person of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time ~~the vacancy occurred~~ of the previous election for that office: *Provided, That any such person appointed by the*

Governor must have been affiliated with that political party for at least one year prior to the occurrence of the vacancy.

(b) In the case of a member of the House of Delegates, if the member was elected to a multi-county delegate district, the list shall be submitted by the party executive committee of the delegate district in which the vacating member resided at the time of his or her election or appointment. If the member was elected to a delegate district situated entirely within a single county, the list shall be submitted by the county executive committee in which the vacating member resided at the time of his or her election or appointment. The appointment to fill a vacancy in the House of Delegates is for the unexpired term.

(c) In the case of a state senator, if the member was elected to a multi-county senatorial district, the list shall be submitted by the party executive committee of the state senatorial district in which the vacating senator resided at the time of his or her election or appointment. If the member was elected to a senatorial district situated entirely within a single county, the list shall be submitted by the county executive committee in which the vacating member resided at the time of his or her election or appointment. The appointment to fill a vacancy in the state Senate is for the unexpired term, unless §3-10-1 of this code requires a subsequent election to fill the remainder of the term, which shall follow the procedure set forth in said section.

(d) No person may be appointed to fill a vacancy in the office of state senator or as a member of the House of Delegates who has not for one year preceding the appointment been a resident within the district he or she will represent. Notwithstanding any provision of this code to the contrary, the process to compose and submit the list, which is required to be submitted by the political party under which the person holding the office immediately preceding the vacancy was elected, shall be governed by the rules of the state executive committee of that political party.

§3-10-6. Vacancy in office of circuit court clerk.

(a) When a vacancy occurs in the office of clerk of the circuit court, the circuit court by a majority vote of the judges shall fill the same within thirty days of the vacancy, for the period required by

§3-10-1 of this code, by appointment of a person of the same political party as the officeholder vacating the office for the period required by section one of this article with which the person holding the office immediately preceding the vacancy was affiliated at the time of the previous election for that office: *Provided, That any such person appointed by the circuit court must have been affiliated with that political party for at least one year prior to the occurrence of the vacancy.*

(b) Notwithstanding any code provision to the contrary, the chief judge may appoint a temporary successor to the office of clerk of the circuit court until the requirements of this section have been met. The temporary successor may serve no more than 30 days from the date of the vacancy.

(c) If an election is necessary, the circuit court, or the chief judge thereof in vacation, is responsible for the proper proclamation, by order and notice required by section one of this article.

(d) Section one of this article shall be followed with respect to any election needed to fill a vacancy, except that if the vacancy occurs after the primary cutoff date but not later than the general cutoff date, candidates to fill the vacancy shall be nominated by the county executive committee in the manner provided in §3-5-19 of this code, as in the case of filling vacancies in nominations, and the names of the persons, so nominated and certified to the clerk of the county commission of the county, shall be placed upon the ballot to be voted at the next general election.

§3-10-7. Vacancies in offices of county commissioner or councilor and clerk of county commission or council.

(a) Any vacancy in the office of county commissioner or councilor, or clerk of county commission or council shall be filled by appointment by the county commission or council. The appointee for the office of county commissioner or councilor must reside in a magisterial district in which no other member of the county commission or council resides. The appointee for either clerk of the county commission or council, or the office of county

commissioner or councilor, must be a person of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time of the previous election for that office: *Provided*, That at the time of appointment, the appointee must have been a member of that political party for at least one year prior to the occurrence of the vacancy.

(b) If a quorum of the county commission or council fails to make an appointment within 30 days, the county executive committee of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time of the previous election for that office, shall submit a list of three legally qualified persons to fill the vacancy for a county having three elected commissioners, or shall submit a list of five legally qualified persons to fill the vacancy for a county having five elected commissioners or councilors. Within 15 days from the date on which the list is received, the county commission or council shall appoint a candidate from the list to fill the vacancy.

(1) In a county having three elected county commissioners, if the county commission or council fails to make the appointment within the specified time, then the county commissioner or councilor with the longest tenure shall eliminate one name from the submitted list, followed by the county commissioner or councilor with the second-longest tenure then eliminating one name from the submitted list. The name remaining after those two names have been eliminated shall be deemed to be appointed by the county commission to fill the vacancy.

(2) In a county having five elected county commissioners or councilors, if the county commission or council fails to make the appointment within the specified time, then the county commissioners or councilors shall strike one name from the list, in turn, in the following order of precedence:

(A)(i) First, all county commissioners or councilors affiliated with the same political party from which the vacating commissioner, councilor, or clerk was elected shall strike a name from the list before those not affiliated with the vacating commissioner, councilor, or clerk's party;

(ii) Second, of the county commissioners or councilors affiliated with the same party from which the vacating commissioner, councilor, or clerk was elected, the commissioner or councilor with the longest tenure shall strike before those with lesser tenure; and

(iii) Third, if there be county commissioners or councilors with equal tenure affiliated with the same party from which the vacating commissioner, councilor, or clerk was elected, a drawing by lot shall be conducted within the timeframe required to fill the vacancy to determine which of them shall eliminate one name from the submitted list before the other commissioner or councilor with equal tenure.

(B) After the county commissioners or councilors affiliated with the same party from which the vacating commissioner, councilor, or clerk was elected make their strikes, the remaining county commissioners or councilors shall follow the same procedure in the same order of precedence provided herein. The name remaining after four names have been eliminated shall be deemed to be appointed by the county commission or council.

(c) If the number of vacancies in a county commission or council deprives that body of a quorum, the Governor shall make an appointment to fill any vacancy in the county commission or council necessary to create a quorum, from a list of three legally qualified persons submitted by the party executive committee of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time of the previous election for that office. The Governor shall make any appointments necessary, beginning with the vacancy first created, to create a quorum in accordance with the same procedures applicable to county commissions and councils under §3-10-7(a) of this code. Once a quorum of the county commission or council is reestablished by gubernatorial appointment, the authority to fill the remaining vacancies shall be filled in the manner prescribed in §3-10-7(a) of this code.

(d) An appointment made pursuant to this section is for the period of time provided in §3-10-1 of this code.

(e) Notwithstanding any code provision to the contrary, a county commission or council may appoint a temporary successor to the office of clerk of the county commission or council until the requirements of this section have been met. The temporary successor may serve no more than 30 days from the date of the vacancy.

(f) If an election is necessary under §3-10-1 of this code, the county commission or council, or the president thereof in vacation, shall be responsible for the proper proclamation, by order, and notice required by §3-10-1 of this code.

(g) §3-10-1 of this code shall be followed with respect to any election needed to fill a vacancy, except that if the vacancy occurs after the primary cutoff date but not later than the general cutoff date, candidates to fill the vacancy shall be nominated by the county executive committee in the manner provided in §3-5-19 of this code, as in the case of filling vacancies in nominations, and the names of the persons, so nominated and certified to the clerk of the county commission or council of the county, shall be placed upon the ballot to be voted at the next general election.

(h) If the election for an unexpired term is held at the same time as the election for a full term for county commissioner or councilor, the full term shall be counted first and the unexpired term shall be counted second. If the candidate with the highest number of votes for the unexpired term resides in the same magisterial district as the candidate with the highest number of votes for the full term, the candidate for the full term shall be seated. The candidate with the next highest number of votes for the unexpired term residing in a different magisterial district shall be seated for the unexpired term.

§3-10-8. Vacancies in offices of prosecuting attorney, sheriff, assessor, and surveyor.

(a) Any vacancy occurring in the office of prosecuting attorney, sheriff, assessor, or county surveyor shall be filled by the county commission within 30 days of the vacancy by appointment of a person of the same political party as the officeholder vacating the office with which the person holding the office immediately

preceding the vacancy was affiliated at the time of the previous election for the office. The appointee must have been a member of that political party for at least one year prior to the occurrence of the vacancy. The appointed person shall hold the office for the period stated by section one of this article.

(b) Notwithstanding any code provision to the contrary, a county commission may appoint a temporary successor to the office of prosecuting attorney, sheriff, assessor or county surveyor until the requirements of this section have been met. The temporary successor may serve no more than 30 days from the date of the vacancy.

(c) If an election is necessary under section one of this article, the county commission, or the president thereof in vacation, shall be responsible for the proper proclamation, by order, and notice required by section one of this article.

(d) Section one of this article shall be followed with respect to any election needed to fill a vacancy, except that if the vacancy occurs after the primary cutoff date but not later than the general cutoff date, candidates to fill the vacancy shall be nominated by the county executive committee in the manner provided in §3-5-19 of this code, as in the case of filling vacancies in nominations, and the names of the persons, so nominated and certified to the clerk of the county commission of the county, shall be placed upon the ballot to be voted at the next general election.

CHAPTER 8. MUNICIPAL CORPORATIONS.

ARTICLE 5. ELECTION, APPOINTMENT, QUALIFICATION AND COMPENSATION OF OFFICERS; GENERAL PROVISIONS RELATING TO OFFICERS AND EMPLOYEES; ELECTIONS AND PETITIONS GENERALLY; CONFLICT OF INTEREST.

§8-5-10. Vacancies in elective offices; how filled.

Unless otherwise provided by charter provision or ordinance, when a vacancy shall occur from any cause in any municipal elective office, the vacancy, until the next succeeding regular

municipal election and until the qualification of an elected successor, shall be filled by appointment by the governing body from among the residents of the municipality eligible under this article, with a legally qualified person of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time of the previous election: *Provided, That any such person appointed must have been affiliated with that political party for at least one year prior to the occurrence of the vacancy:*

CHAPTER 50. MAGISTRATE COURTS.

ARTICLE 1. COURTS AND OFFICERS.

§50-1-6. Vacancy in office of magistrate.

(a) Subject to the provisions of ~~section one, article ten, chapter three~~ §3-10-1 of this code, when a vacancy occurs in the office of magistrate, or upon the formal announcement by letter to the judge of the circuit court, or the chief judge thereof if there is more than one judge of the circuit court, of an upcoming resignation or retirement that will result in the occurrence of a vacancy in the office of magistrate, including resignation of a magistrate-elect following the election of such magistrate-elect but prior to the magistrate-elect taking office in the term for which he or she has most recently been elected, such judge or chief judge shall fill the same by appointment.

(b) At a nonpartisan judicial election in which a magistrate is elected for an unexpired term, the circuit judge, or the chief judge thereof if there is more than one judge of the circuit court, shall cause a notice of such election to be published prior to such election as a Class II-0 legal advertisement in compliance with the provisions of ~~article three, chapter fifty nine~~ §59-3-1 et seq. of this code, and the publication area for such publication shall be the county involved.;

And,

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 586—A Bill to amend and reenact §3-10-3, §3-10-4, §3-10-5, §3-10-6, §3-10-7, and §3-10-8 of the Code of West Virginia, 1931, as amended; to amend and reenact §8-5-10 of said Code; and to amend and reenact §50-1-6 of said Code; relating to requirements for filling vacancies in certain elected federal, state, county, and municipal offices; prohibiting the appointment of an individual to fill a vacant office if that person has not been a member of his or her registered political party for at least one year prior to the occurrence of the vacancy; providing that process to select candidates to fill state Senate and House of Delegates seats be governed by the party senatorial district executive committee or party delegate district executive committee, as applicable, for the respective political party; authorizing the Governor to appoint an acting official to perform the duties of a constitutional officer until the office is filled by appointment; relating to filling vacancies in the office of magistrate; providing that vacancies in the office of magistrate with an unexpired term of more than two years are filled by subsequent nonpartisan judicial election held concurrently with the primary or general election, whichever occurs first; excluding vacancies in the office of magistrate from certain other provisions relating to process for filling vacancies; authorizing prospective vacancy due to upcoming resignation or retirement of a magistrate to be filled by circuit judge or chief circuit judge; and requiring generally that partisan office appointments be made from the political party with which the individual vacating the office was affiliated at the time of the previous election for that office.

On motion of Senator Martin, the following amendments to the House of Delegates amendments to the bill (Eng. Com. Sub. for Com. Sub. for S. B. 586) were reported by the Clerk, considered simultaneously, and adopted:

On page 4, section 5, line 4, after the word "committee," by inserting the words "or, in the case of a single-county senatorial or delegate district, the county executive party,";

On page 11, section 10, line 1, by striking out the words "Unless otherwise provided by charter provision or ordinance,

when a vacancy shall occur" and inserting in lieu thereof the words "When a vacancy occurs";

And,

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 586—A Bill to amend and reenact §3-10-3, §3-10-4, §3-10-5, §3-10-6, §3-10-7, and §3-10-8 of the Code of West Virginia, 1931, as amended, and to amend and reenact §50-1-6 of said Code; relating to requirements for filling vacancies in certain elected federal, state, and county offices; prohibiting the appointment of an individual to fill a vacant office if that person has not been a member of his or her registered political party for at least one year prior to the occurrence of the vacancy; providing that process to select candidates to fill state Senate and House of Delegates seats be governed by the party senatorial district executive committee or party delegate district executive committee, or in the case of a single-county senatorial or delegate district, by the county executive party, as applicable for the respective political party; authorizing the Governor to appoint an acting official to perform the duties of a constitutional officer until the office is filled by appointment; relating to filling vacancies in the office of magistrate; providing that vacancies in the office of magistrate with an unexpired term of more than two years are filled by subsequent nonpartisan judicial election held concurrently with the primary or general election, whichever occurs first; excluding vacancies in the office of magistrate from certain other provisions relating to process for filling vacancies; authorizing prospective vacancy due to upcoming resignation or retirement of a magistrate to be filled by circuit judge or chief circuit judge; and requiring generally that partisan office appointments be made from the political party with which the individual vacating the office was affiliated at the time of the previous election for that office.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 586, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—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 Com. Sub. for S. B. 586) passed with its Senate amended title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—1.

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 Com. Sub. for S. B. 586) takes effect from passage.

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

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. Senate Bill 866, Requiring WV Board of Education to promulgate legislative rule in consultation with WV Board of Physical Therapy.

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, after the enacting clause, by striking out the remainder of the bill and inserting, in lieu thereof, the following:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-2-25a. Management of concussions and head injuries in athletics at West Virginia Secondary School Activities Commission member high school or middle school.

(a) The Legislature makes the following findings:

(1) Concussions are one of the most commonly reported injuries in children and adolescents who participate in sports and recreational activities. The Centers for Disease Control and Prevention estimates that as many as 3.9 million sports-related and recreation-related concussions occur in the United States each year;

(2) A concussion is caused by a blow or motion to the head or body that causes the brain to move rapidly inside the skull. The risk of catastrophic injuries or death is significant when a concussion or head injury is not properly evaluated and managed;

(3) Concussions are a type of brain injury that can range from mild to severe and can disrupt the way the brain normally functions;

(4) Concussions can occur in any organized or unorganized sport or recreational activity and can result from a fall or from players colliding with each other or with obstacles;

(5) Concussions occur with or without loss of consciousness, but the vast majority occur without loss of consciousness;

(6) The interscholastic athlete who continues to play or practice with a concussion or symptoms of head injury is especially vulnerable to greater injury and even death; and

(7) Even with generally recognized return-to-play-and-practice standards for concussion and head injury, some affected interscholastic athletes are prematurely returned to play or practice resulting in increased risk of physical injury or death to the athletes in the state of West Virginia.

(b) For the purposes of this section, "interscholastic athlete" means any athlete who is participating in interscholastic athletics at a high school or middle school that is a member of the West Virginia Secondary School Activities Commission. "Licensed health care professional" means a health care provider whose licensed scope of practice includes the ability to diagnose and treat an injury or disease.

(c) The West Virginia Secondary School Activities Commission shall promulgate rules pursuant to §18-2-25 of this code that address concussions and head injuries in interscholastic athletes: *Provided*, That prior to state board approval and notwithstanding the exemption provided in §29A-1-3 of this code, the state board shall submit the rule to the Legislative Oversight Commission on Education Accountability pursuant to §29A-3B-9 of this code.

(d) The rules required by this section shall include, but are not limited to, the following:

(1) Guidelines and other pertinent information to inform and educate appropriate school administrators, coaches, interscholastic athletes, and their parents or guardians of the nature and risk of concussion and head injury including the risks of continuing to play or practice after a concussion or head injury;

(2) A concussion and head injury information sheet that shall be signed and returned by the interscholastic athlete and the

athlete's parent or guardian on an annual basis before the interscholastic athlete begins practice or competition;

(3) A requirement that each head coach of an interscholastic sport at a high school or middle school who is a member of the West Virginia Secondary School Activities Commission complete a commission-approved concussion and head injury recognition and return-to-play protocol course annually;

(4) A requirement that an interscholastic athlete who is suspected by a licensed health care professional or by his or her head coach or licensed or registered athletic trainer of having sustained a concussion or head injury in a practice or game shall be removed from competition at that time;

(5) A requirement that an interscholastic athlete who has been removed from play or practice may not return to play or practice until the athlete is evaluated by a licensed health care professional trained in the evaluation and management of concussions and receives written clearance to return to play and practice from the licensed health care professional;

(6) A list of the respective categories of licensed health care professionals including, but not limited to, licensed physical therapists and licensed or registered athletic trainers who, if properly trained in the evaluation and management of concussions, are authorized to provide written clearance for the interscholastic athlete to return to play; and

(7) A requirement that all member schools must submit a report to the West Virginia Secondary School Activities Commission within 30 days of an interscholastic athlete suffering or being suspected of suffering a concussion or head injury in a practice or game. The report must state whether an evaluation by a licensed health care professional verified that a concussion or head injury was actually suffered, whether the athlete received written clearance to return to play or practice and, if written clearance was given, the number of days between the incident and the actual return to play or practice. If written clearance to return to play is given after 30 days of the incident, a report update shall be

submitted. The West Virginia Secondary School Activities Commission shall compile and submit the reports to the appropriate state and national organization or agencies to analyze and make determinations on whether the rule required by this section needs to be amended or if equipment worn by interscholastic athletes needs to be changed accordingly. The West Virginia School Activities Commission also shall submit the reports to the Legislative Oversight Commission on Health and Human Resources Accountability.

(8) A requirement that all member schools develop a "Concussion Education, Prevention, and Response Plan" that establishes concussion-related education requirements for appropriate personnel and sets forth practices for preventing concussions and responding to concussions when they do occur.

(e) Any member school not complying with the requirements of this section, and rules promulgated thereof, shall be subject to the disciplinary actions ordered by the West Virginia Secondary School Activities Commission: *Provided*, That the West Virginia Secondary School Activities Commission shall promulgate rules to establish guidelines for noncompliance and related disciplinary actions: *Provided, however*, That prior to state board approval and notwithstanding the exemption provided in §29A-1-3 of this code, the state board shall submit the rule to the Legislative Oversight Commission on Education Accountability pursuant to §29A-3B-9 of this code.;

And,

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

Eng. Senate Bill 866—A Bill to amend the Code of West Virginia, 1931, as amended, by amending §18-5-22a of said code, by adding the requirement that the West Virginia Secondary Schools Activities Commission require in its rule regarding concussions and head injuries that member schools develop a Concussion Education Prevention and Response Plan.

On motion of Senator Martin, the following amendments to the House of Delegates amendments to the bill (Eng. S. B. 866) were reported by the Clerk, considered simultaneously, and adopted:

On page 4, section 25a, after line 71, by striking out the remainder of the bill and inserting in lieu thereof the following:

(9) A requirement that, beginning on July 1, 2026, any interscholastic athlete participating in a school organized football practice shall use an impact reducing soft-shell helmet cover while wearing a football helmet. The impact reducing soft-shell helmet cover shall be attached to a student athlete's football helmet at all times when participating in any activity with a likelihood of collision or during any practice activity which the student athlete would regularly be expected to use a football helmet. The requirement required by this subdivision shall be subject to the following:

(A) Football helmets that exceed the safety profile of a football helmet with the soft-shell helmet cover attached are exempt from the requirements of subsection (a) of this section.

(B) On an annual basis, the Department of Education shall determine which football helmets exceed the safety profile of a football helmet with the soft-shell helmet cover attached and shall publish, or otherwise make available, a list of those helmets on the website of the Department of Education.

(C) If a member school does not have access to sufficient grant funding or other funds to cover the costs associated with the acquisition of impact reducing soft-shell helmet covers, then that particular school may certify to the Department of Education that acquiring the required soft-shell helmet covers would impose an undue hardship. Upon review of the certification, the Department of Education may exempt that particular school from the requirements of this subsection until the following football season.

(D) The provisions of this subdivision shall terminate on July 1, 2030, unless there is action by the Legislature to extend the provisions beyond that date.

(e) The use of an impact reducing soft-shell helmet cover with a football helmet in compliance with §18-2-25a(d)(9) of this code shall not void or limit any football helmet manufacturer or dealer's express or implied warranty that may otherwise apply to the football helmet: Provided, That the impact reducing soft-shell helmet cover attaches to the football helmet in a manner that does not modify the components of or otherwise damage the football helmet: Provided, however, That one or more helmet manufacturers has certified that the impact reducing soft-shell helmet cover is acceptable for use.

(f) A football helmet manufacturer, dealer, or any other entity that assigns safety certifications to football helmets may not revoke a safety certification or guarantee associated with a football helmet due to the use of an impact reducing soft-shell helmet cover in compliance with §18-2-25a(d)(9): Provided, That the impact reducing soft-shell helmet cover attaches to the football helmet in a manner that does not modify the components of or otherwise damage the football helmet; Provided, however, That one or more helmet manufacturers has certified that the impact reducing soft-shell helmet cover is acceptable for use.

(g) The Cohen Craddock Memorial Grant Program is hereby established to provide support for the provision of safety equipment required by this section. The grant program shall be administered by the Department of Education. The department shall provide application forms and procedures to administer the grant.

(1) Member schools may apply to the grant program for funding to cover all or some of the costs associated with procuring safety equipment required by this section.

(2) The department shall set the amount of grants based on the funds available, and grants shall be issued by the department on a first-come-first-serve basis.

(3) There shall be created in the State Treasury a special revenue fund designated the Cohen Craddock Memorial Grant Fund, subject to the following:

(A) The fund shall be administered by the department, and expenditures from the fund shall be made for the sole purpose of providing grants authorized by this section;

(B) The fund shall consist of moneys appropriated by the Legislature, moneys received from the federal government, and moneys received from private donations, grants, bequests, and all other moneys received from all sources for the purposes stated herein. The department, political subdivisions, and any private entity may engage in fundraising efforts to solicit donations to the fund;

(C) Any moneys in the fund may be invested and the fund may retain any income from such investments;

(D) Any moneys remaining in the fund at the end of the fiscal year shall not revert to the general revenue but shall remain in the fund solely for the purposes stated in this article; and

(E) The moneys accrued in the fund, any earnings thereon, and any yields from investments by the State Treasurer or West Virginia Investment Management Board are reserved solely and exclusively for the purposes set forth in this subsection.

~~(e)~~ (h) Any member school not complying with the requirements of this section, and rules promulgated thereof, shall be subject to the disciplinary actions ordered by the West Virginia Secondary School Activities Commission: *Provided*, That the West Virginia Secondary School Activities Commission shall promulgate rules to establish guidelines for noncompliance and related disciplinary actions: *Provided, however*, That prior to state board approval and notwithstanding the exemption provided in §29A-1-3 of this code, the state board shall submit the rule to the Legislative Oversight Commission on Education Accountability pursuant to §29A-3B-9 of this code.;

And,

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

Eng. Senate Bill 866—A Bill to amend and reenact §18-2-25a of the Code of West Virginia, 1931, as amended, relating to requiring that all member schools develop a "Concussion Education, Prevention, and Response Plan" that establishes concussion-related education requirements for appropriate personnel and sets forth practices for preventing concussions and responding to concussions when they do occur; requiring any interscholastic athlete participating in a school organized football practice to use an impact reducing soft-shell helmet cover; exempting certain football helmets from this requirement; allowing exemption from requirement for insufficient funds; terminating requirement and certain related provisions on July 1, 2030; providing that under certain conditions the use of an impact reducing soft-shell helmet cover with a football helmet does not void or limit any football helmet manufacturer's or dealer's express or implied warranty that may otherwise apply to the helmet; prohibiting under certain conditions any entity that assigns safety certifications to football helmets from revoking a safety certification or guarantee associated with a football helmet due to the use of an impact reducing soft-shell helmet cover; establishing the Cohen Craddock Memorial Grant Program to provide support for the provision of certain safety equipment; requiring Department of Education to administer grant program; requiring the creation of the Cohen Craddock Memorial Grant Fund.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Senate Bill 866, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 866) passed with its Senate amended title.

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

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

Eng. Com. Sub. for Com. Sub. for House Bill 2164, To allow for public and private schools in West Virginia to employ security personnel.

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

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

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

Eng. Com. Sub. for Com. Sub. for House Bill 2164—A Bill to amend and reenact §15-2D-3 and §61-7-11a of the Code of West Virginia, 1931, as amended; and by adding thereto three new sections, designated §18-5-52, §18-5-53, and §18-5-54, relating to creating school safety officers; requiring the director of the Division of Protective Services to establish standards for school safety officers and issue a certificate; providing definitions; authorizing local school boards, public charter schools, and private or religious schools to employ school safety officers; providing standards for a school safety officer to carry a firearm on school grounds; requiring a background check; specifying the detention powers of a school safety officer and limitations on detention

powers; requiring data sharing with the Division of Protective Services; specifying payment for equipment; requiring insurance for schools employing a school safety officer; clarifying that the prohibitions on carry a firearm in a school zone do not apply to certified school safety officers; providing that all school safety officers are subject to the Law Enforcement Officers Safety Act ("LEOSA"); clarifying the liability and responsibility of school safety officers; providing for annual training in conjunction with the local county sheriffs' department; allowing county boards of education to contract with an independent contractor, known as a West Virginia guardian, who is a former state trooper, former deputy sheriff, former state fire marshal, former Department of Natural Resources police officer, former municipal police officer, or former federal law-enforcement officer to provide to provide public safety and/or security on school grounds to protect life and property; specifying the authority of independent contractors participating in the program and an apparel requirement; requiring the West Virginia guardian to apply for a permit from the county sheriff of the county in which the guardian will provide services; mandating the county sheriff to require an applicant to provide proof of meeting certain requirements; allowing county board to impose additional requirements; requiring permit application fee to be deposited into a guardian program fund; stating that meeting all of certain requirements does not guarantee a contract will be extended to the applicant; specifying instances in which an independent contractor is precluded from participation as a West Virginia guardian; providing certain liability insurance requirements; exempting West Virginia guardian contract from certain purchasing requirements; clarifying that county board participation is voluntary and subject to the availability of county funds; providing for exclusions from state benefit programs; and clarifying that an off duty law-enforcement officer is not prohibited from carrying a firearm on certain school grounds; allowing county boards, public charter schools, or private or religious schools to contract with a private security guard firm to provide school safety officer services; specifying the authority of the private security guard firm or its employees participating a a school safety officer; mandating the county board, public charter school, or private or religious school to require an applicant to provide proof of meeting

certain requirements; allowing county board, public charter school, or private or religious school impose additional requirements; specifying instances in which a private security guard or its employees is precluded from participation as a school safety officer; providing certain liability insurance requirements; exempting contract from certain purchasing requirements; providing for exclusions from state benefit programs; clarifying that an employee of a private security guard firm acting as a school safety officer is not prohibited from carrying a firearm on certain school grounds; and permitting air rifles and rimfire rifles on certain school grounds for the purposes of shooting teams to the extent permitted by law.

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

Engrossed Committee Substitute for Committee Substitute for House Bill 2164, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—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 Com. Sub. for H. B. 2164) 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 Senate

amendments, as amended by the House of Delegates, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendments, as to

Eng. Com. Sub. for House Bill 2267, Authorizing Department of Revenue to Promulgate Legislative Rules.

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

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

On page two, by striking out the words:

"On page 40, subsection 4.8, after the words "cleared of all members and guests" by inserting the words "one hour and".

And,".

On motion of Senator Martin, the Senate refused to concur in the foregoing House amendment to the Senate amendments to the bill (Eng. Com. Sub. for H. B. 2267) and requested the House of Delegates to recede therefrom.

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

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

Eng. Com. Sub. for House Bill 3297, Establishing the Washington Center for Civics, Culture, and Statesmanship at West Virginia University.

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

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

On page 2, section 8, line 38, after the words "may be" by striking the word "required" and inserting in lieu thereof the word "permitted";

On page 2, section 8, line 39, after the word "university" and the following period, by striking the words "faculty hires into the center" and the immediately following period;

On page 3, section 8, line 66, by striking subsection (h) in its entirety and inserting in lieu thereof a new subsection (h), to read as follows:

"(h) The director has authority over the following enumerated areas, but shall exercise that authority in consultation with the president and the provost:

(1) Managing the recruitment and hiring process and extending offers for employment for all faculty and staff;

(2) Terminating the employment of any staff;

(3) Tenure decisions affecting the center's professors and teachers;

(4) Overseeing and developing the center's curriculum: *Provided*, That the director shall consult with the university pursuant to subsection (e) of this section to ensure that accreditation is maintained;

(5) The center's budget and expenditures;

(6) Scheduling and holding any conferences relevant to the center's mission; and

(7) Scheduling, inviting, and hosting speakers and presenters.";

On page 4, section 8, line 86, by striking the subsection designation "(i)" and inserting in lieu thereof the subsection

designation "(j)" and revising the remaining subsection designations, in alphabetical order, accordingly;

On page 4, section 8, line 90, after the words "service in the" by striking the words "in the";

And,

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

Eng. Com. Sub. for House Bill 3297—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18B-11-8, relating to creating the Washington Center for Civics, Culture, and Statesmanship within West Virginia University; requiring the university to work with the center to provide the center with reasonable infrastructure, classroom space, and office space; stating the center's purposes and goals; stating the center's policies; permitting the appointment of at least five tenure-track faculty; authorizing the center in consultation with the university to offer courses and to develop various degrees for accreditation; providing for a director of the center reporting directly to the president, provost, and vice president of academic affairs of the university; providing for the director's appointment and the filling of vacancies; providing for an academic council; enumerating areas over which the director has authority; providing that the director's authority shall be exercised in consultation with the president and the provost; requiring the center to adhere to institutional policies and procedures; requiring approval of the curriculum by the West Virginia University by the Board of Governors; requiring faculty to meet the university's qualifications policy; providing for limitations on employment and service of legislators; and providing for an annual report.

Senator Martin moved that the Senate concur in the House of Delegates amendments to the Senate amendments to the bill.

Following discussion,

The question being on the adoption of Senator Martin's aforesated motion, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 3297, as amended, was then put upon its passage.

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

The nays were: Clements, Garcia, Grady, Stuart, Tarr, and Woelfel—6.

Absent: Boley—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 H. B. 3297) passed with its House of Delegates amended title.

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

At the request of Senator Martin, and by unanimous consent, the Senate proceeded to the consideration of

Eng. House Bill 3520, Expiring funds to the surplus balance in the State Fund, General Revenue, Office of Energy.

Having been read a third time in earlier proceedings today, and now coming up out of regular order, was again reported by the Clerk.

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

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

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

That the balance of the funds available for expenditure in the fiscal year ending June 30, 2025, the Fire Commission – Fire Marshal Fees, fund 6152, fiscal year 2025, organization 0619, be decreased by expiring the amount of \$1,000,000; the Office of Energy – Energy Assistance, fund 3010, fiscal year 2025, organization 0307, be decreased by expiring the amount of \$7,210; the Division of Natural Resources – Planning and Development Division, fund 3205, fiscal year 2025, organization 0310, be decreased by expiring the amount of \$435,000; the Division of Labor – Elevator Safety Fund, fund 3188, fiscal year 2025, organization 0308, be decreased by expiring the amount of \$750,000; the Contractor Licensing Board Fund, fund 3187, fiscal year 2025, organization 0951, be decreased by expiring the amount of \$250,000; the Division of General Services, fund 2461, fiscal year 2025, organization 0211, be decreased by expiring the amount of \$500,000; the Criminal Law Research Center Fund, fund 2420, fiscal year 2025, organization 0221, be decreased by expiring the amount of \$3,000,000; the Treasurer's Office, fund 8692, fiscal year 2025, organization 1300, be decreased by expiring the amount of \$20,000,000; the Insurance Commissioner – Insurance Commission Fund, fund 7152, fiscal year 2025, organization 0704, be decreased by expiring the amount of \$30,000,000; the Division of Labor – Bedding and Upholstery Fund, fund 3198, fiscal year 2025, organization 0308, be decreased by expiring the amount of \$250,000, to the surplus balance of the State Fund, General Revenue, to be available for appropriation during the fiscal year 2025.

And, That the total appropriation for the fiscal year ending June 30, 2025, to fund 0175, fiscal year 2025, organization 2300 be supplemented and amended by adding a new line item of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

3 - Joint Expenses

(W.V. Code Chapter 4)

Fund 0175 FY 2025 Org 2300

	Appropriation	General Revenue Fund
1a Joint Committee on Government and Finance - Surplus	XXXXX	56,192,210

And, That the total appropriation for the fiscal year ending June 30, 2025, to fund 0256, fiscal year 2025, organization 0307, be supplemented and amended by adding a new item of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF ECONOMIC DEVELOPMENT

43 - Department of Economic Development –

Office of the Secretary

(W.V. Code Chapter 5B)

Fund 0256 FY 2025 Org 0307

	Appropriation	General Revenue Fund
11a Site-Ready Projects, SEED, Vo-Tech		
11b and Workforce Investments – Surplus (R).....	XXXXX	41,159,321

Any unexpended balance remaining in the appropriation for Site-Ready Projects, SEED, Vo-Tech and Workforce Investments – Surplus (fund 0256, appropriation XXXXX) at the close of fiscal year 2025 is hereby reappropriated for expenditure during the fiscal year 2026.

Engrossed House Bill 3520, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3520) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3520) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments and requested the appointment of a committee of

conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for House Bill 2880, Relating to parent resource navigators.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Burkhammer, Pinson, and Pushkin.

On motion of Senator Martin, the Senate agreed to the appointment of a conference committee on the bill.

Whereupon, Senator Smith (Mr. President) appointed the following conferees on the part of the Senate:

Senators Rucker, Rose, and Woelfel.

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 that that body had refused to recede from its amendment to the Senate amendments, and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for House Bill 2267, Authorizing Department of Revenue to Promulgate Legislative Rules.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Hornby, D. Smith, and Garcia.

On motion of Senator Martin, the Senate agreed to the appointment of a conference committee on the bill.

Whereupon, Senator Smith (Mr. President) appointed the following conferees on the part of the Senate:

Senators Barrett, Rucker, and Garcia.

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

Senator Barrett announced a meeting of the committee of conference as to Engrossed Committee Substitute for House Bill 2267 (*Authorizing Department of Revenue to Promulgate Legislative Rules*).

Executive Communications

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



Patrick Morrisey
Governor of West Virginia

April 12, 2025

The Honorable Jeff Pack, Clerk
West Virginia House of Delegates
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Two Thousand One Hundred Twenty-Nine (2129), which was presented to me on April 7, 2025.

House Bill No. Two Thousand Four Hundred Forty-One (2441), which was presented to me on April 7, 2025.

Committee Substitute for House Bill No. Two Thousand Five Hundred Thirteen (2513), which was presented to me on April 7, 2025.

Committee Substitute for House Bill No. Two Thousand Five Hundred Forty-Eight (2548), which was presented to me on April 7, 2025.

You will note that I have approved these bills on April 12, 2025.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Morrisey".

Patrick Morrisey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk

On motion of Senator Martin, at 6:39 p.m., the Senate recessed until 7:10 p.m. tonight.

The Senate reconvened at 7:09 p.m.

Senator Taylor announced a meeting of the committee of conference as to Engrossed Committee Substitute for House Bill 2880 (*Relating to parent resource navigators*).

(Senator Stuart in the Chair.)

Filed Conference Committee Reports

The Clerk announced the following conference committee report had been filed at 7:30 p.m. tonight:

Eng. Com. Sub. for House Bill 2267, Authorizing Department of Revenue to Promulgate Legislative Rules.

(Senator Morris in the Chair.)

The Clerk announced the following conference committee report had been filed at 7:50 p.m. tonight:

Eng. Com. Sub. for House Bill 2880, Relating to parent resource navigators.

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

At the request of Senator Martin, unanimous consent being granted, the Senate proceeded to the consideration of

Eng. Com. Sub. for House Bill 3125, To remove restrictions from teachers receiving permanent teaching licenses.

On third reading, coming up out of regular order, with the right having been granted on April 10, 2025, for amendments to be received on third reading, was read a third time.

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

On page 2, section 2a, line 32, by striking out the period and inserting in lieu thereof a semicolon and the word "or";

And on page 2, section 2a, after line 32, by inserting the following paragraph:

(D) Is an honorably discharged member of the armed forces who:

(i) Holds at least a bachelor's degree from an accredited institution of higher education that is related to the available position which the veteran has applied to; and

(ii) Has passed the basic skills and subject matter test or tests required by the state board for teachers to become certified in the area for which the licensure is sought; and

(iii) Is exempt from any additional teacher certification requirements except the criminal history check required by §18A-3-10 of this code.

Engrossed Committee Substitute for House Bill 3125, as just amended, was then put upon its passage.

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

The nays were: None.

Absent: Boley, Chapman, and Takubo—3.

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. 3125) passed.

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

Eng. Com. Sub. for House Bill 3125—A Bill to amend and reenact §18A-3-2a and §18A-3-4 of the Code of West Virginia, 1931, as amended, relating to certificates valid in the public schools; adding a fourth set of conditions under which a person who meets those conditions can be issued a professional teaching certificate; allowing teachers with a bachelor's degree and 10 years teaching experience, with a valid teaching certificate, in good standing, without any unsatisfactory evaluations to apply for and receive a permanent teaching certificate without having to take any additional course work.

Senator Martin moved that the bill take effect from passage.

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

The nays were: None.

Absent: Boley and Takubo—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3125) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced that that body had receded from its amendments to, and the passage as amended by deletion, of

Eng. Com. Sub. for Com. Sub. for Senate Bill 765, Establishing Troops-to-Teachers Program.

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

amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 2014, Certified Microgrid Program.

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

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

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

CHAPTER 5B. ECONOMIC DEVELOPMENT ACT OF 1985.

ARTICLE 2. DEPARTMENT OF ECONOMIC DEVELOPMENT.

§5B-2-21. Certified ~~Industrial Business Expansion~~ Microgrid Development Program.

(a) *Program established.*—The Certified ~~Industrial Business Expansion~~ Microgrid Development Program is hereby created and is to be administered as a program within the ~~Department~~ Division of Economic Development to encourage the continued development, construction, operation, maintenance, and expansion in West Virginia of high impact ~~industrial~~ plants and facilities, in certain circumstances where the availability of electricity generated ~~from renewable sources~~ is demonstrated to be necessary. In order to effectuate the purposes of this section, the ~~Department~~ Division of Economic Development, or any agency, division, or subdivision thereof, may propose for promulgation of legislative rules, including emergency rules, in accordance with §29A-3-1 *et seq.* of this code.

(b) *District certification.*—The Secretary of the Department of ~~Economic Development~~ Commerce may identify and certify ~~high~~

~~impact Industrial business development microgrid~~ districts in this state upon a finding that the following requirements are met:

(1) Certification of the ~~high impact Industrial business development microgrid~~ district and location of new or expanded businesses within the microgrid district will have a significant and positive economic impact on the state;

(2) Certification of the ~~high impact Industrial business development microgrid~~ district is necessary to attract at least two businesses to locate or expand in this state;

(3) The area to be certified as a ~~high impact Industrial business development microgrid~~ district shall be no greater than 2,250 acres and nearly contiguous and must be located on land sold or leased by the state, its agencies, or political subdivisions as defined in §29-12A-3(e) of this code with a purpose of creating a high impact Industrial business development district or on land that has been previously used for coal mining operations in the state; and

(4) The electricity generated ~~from renewable sources~~ within the microgrid district will be used only within the microgrid district or delivered to the wholesale market;

(5) The information described in §5B-2-21(h) of this code has been provided to the Department of Commerce;

(6) The requirements of §5B-2-21(i) of this code have been satisfied; and

(7) The requirements of §5B-2-21(b)(5) and (6) of this code may not apply to microgrid districts certified on or before January 1, 2024.

(8) The requirements of subsections (d), (e), (g), (h), and (j) of this section enacted during the regular session of the Legislature, 2025, shall not apply to any microgrid district certified on or before January 1, 2024, or any special contract entered into and approved by the Public Service Commission on or before January 1, 2025. No amendments to this section enacted during the regular session

of the Legislature, 2025, shall be interpreted to remove an existing microgrid district certification.

The Secretary of the Department of ~~Economic Development~~ Commerce may not certify more than two ~~high impact Industrial business development microgrid~~ districts; Provided, That this limit on certifying microgrid districts shall not apply to any microgrid district wherein greater than 70% of the electricity generated within the microgrid district is consumed by one or more high impact data centers, as defined in §11-6N-2 of this code, or will be consumed by one or more high impact data centers, when such data centers are completed and fully operational. A designation made pursuant to this section by the secretary as to the certification of a ~~high impact Industrial business development microgrid~~ district is final.

(c) *Providing electric service within a certified ~~high impact Industrial business development microgrid~~ district.*—Within a ~~high impact Industrial business development microgrid~~ district, any person, firm, corporation, or entity or their lessees and tenants seeking to provide electric service through the generation or distribution of renewable sources electricity ~~from within the high impact Industrial business development microgrid district of electricity to businesses locating within the certified high impact Industrial business development microgrid district~~ may:

(1) Not be subject to the jurisdiction of the Public Service Commission with respect to rates, obtaining a certificate of convenience and necessity, conditions of service or complaints pursuant to chapter 24 of this code;

(2) Not be subject to the net metering and interconnection standards as set forth in §24-2F-8 of this code;

(3) Elect to qualify as an exempt wholesale generator under federal law for purposes of furnishing electric service through the generation of ~~renewable sources electricity~~ to a utility or regional transmission organization without being subject to the Public Service Commission's siting certificate requirements as set forth in §24-2-1(d), §24-2-11c, or §24-2-1o of this code;

(4) Provide any such electric service to businesses making a capital investment in a new or expanded ~~Industrial~~ facility located within the certified ~~high impact Industrial business development~~ microgrid district; ~~and~~

(5) Not provide any such electric service for purposes of encouraging businesses already receiving electric service from a regulated utility in this state to relocate to the certified ~~high impact Industrial business development~~ microgrid district; ~~and~~

(6) Not deliver outside the microgrid district more than 10% of the electricity generated within the certified microgrid district and only delivered to the wholesale market.

(d) ~~Eligible electric retail~~ *Microgrid customers; eligibility.*— In order to take advantage of the provisions of this section, ~~Industrial~~ a plant or facility choosing to locate and operate within a ~~high impact Industrial business development~~ microgrid district must constitute new electric ~~generating~~ load. Any owner, lessee, or tenant of an ~~Industrial~~ a plant or facility that has not previously received electric service from a regulated public electric utility located within this state, or who is making a capital investment in a new ~~Industrial~~ facility within the microgrid district shall be considered eligible new electric ~~generating~~ load. Electric service to any such ~~Industrial~~ plant or facility shall be considered new electric ~~generating~~ load so long as any customer making a new capital investment within the microgrid district does not decrease the load of an existing facility outside the microgrid district in this state in conjunction with the new capital investment within the microgrid district, and regardless of whether or not a person or entity previously received service from a public electric utility at or near the same location prior to the certification of the ~~high impact Industrial business development~~ microgrid district.

An eligible ~~Industrial~~ plant or facility choosing to locate and operate within a ~~high impact Industrial business development~~ microgrid district is not required to connect with and use any public electric utility: *Provided, That any plant or facility choosing to do so may participate in net metering with a public electric utility without being subject to the net metering and interconnection*

~~standards set forth in §24-2F-8 of this code: Provided, however,~~
That any ~~such~~ connection with and use of a public electric utility
for purposes of the initial construction and development within the
~~high impact Industrial business development~~ microgrid district
shall not impact ~~Industrial~~ a plant or facility's status as new electric
~~generating~~ load in order to take advantage of the provisions of this
section.

(c) ~~*Special rates Microgrid customers; Special contracts and rates.*~~ — ~~In furtherance of the creation of a high impact Industrial business development district,~~ After certification of a microgrid district, the Public Service Commission may approve special electric utility rates contracts for an ~~eligible retail electric~~ a microgrid customer within the ~~high impact Industrial business development~~ microgrid district. For purposes of this section, a "special contract" is:

(1) a written agreement between an electric utility and an eligible retail electric microgrid customer within the microgrid district that is filed with the Public Service Commission and that provides that an eligible retail electric microgrid customer will receive utility service on terms and conditions, including rates, that vary from the utility's tariff on file with the Public Service Commission, or

(2) electric utility service terms and conditions, including rates, ordered by the Public Service Commission that vary from the electric utility's tariff to be in effect between a utility and an eligible retail electric microgrid customer when the electric utility and the eligible retail electric microgrid customer are unable to negotiate a written agreement.

~~An eligible retail electric~~ A microgrid customer seeking to ~~apply for a special rate contract~~ shall first enter into negotiations with the utility ~~that provides it with electric power, within whose service territory the microgrid district is located~~ regarding the terms and conditions of a mutually agreeable special ~~rate contract~~. If the negotiations result in an agreement between the ~~eligible retail electric~~ microgrid customer and the utility within 120 days, the ~~eligible retail electric customer~~ microgrid customer and the utility

shall ~~make a joint filing jointly file~~ with the Public Service Commission ~~seeking approval of the proposed special rate contract~~. If the negotiations are unsuccessful in the 120-day period, the ~~eligible retail electric~~ microgrid customer may file a petition with the Public Service Commission to consider establishing a special rate contract. ~~The Public Service Commission shall have the authority to establish a special rate upon the filing of either a joint filing or a petition pursuant to this section.~~ The Public Service Commission shall consider all relevant factors in establishing a special contract. Upon the filing of a petition pursuant to this section, the Public Service Commission shall establish a special contract for the provision of requested service, including backup and supplemental service to a microgrid customer within the microgrid district. Microgrid customers' load within the microgrid district not covered by a contract for back up and supplemental service shall be considered non-firm and interruptible. The Public Service Commission shall establish a special contract upon the filing of a petition pursuant to this section and shall do so within 90 days of filing.

(f) ~~The provisions of this section shall expire on June 30, 2028: Provided, That the expiration of this section shall not affect any high impact Industrial business development district previously approved by the secretary~~ Electrical infrastructure costs.—Regulated electric utility customers shall not bear any costs including, but not limited to, construction, operational, ancillary services, grid-related, energy-related, or capacity-related costs, associated with any electricity generation, transmission or distribution facilities that provide electrical service to a microgrid district. Any costs of this nature are to be borne by the generator or electricity consumers situated within the microgrid district.

(g)(1) Payment In Lieu Of Taxes Electricity Generation and Distribution—Notwithstanding the provisions of §5D-1-14, §7-5-13, §7-11B-3(b), §7-11B-8(c)(4), §7-11B-15(a)(7), §7-11B-15(a)(15), §7-11B-18, §8-19-4, §8-29A-7, §8A-12-12, §11-13-2p, §11-13C-5(l)(1)(A), §16-13A-21, §16-15-18(b)(6), §17-16A-16(b), §17-16B-20(b), §18-9A-12(c), § 31-21-5, and §31-21-15 of this code, or any other provision of this code, no payment in lieu of

taxes shall be entered into with relation to the property of any electricity generating plant, facility, or generating unit or any property comprising, in whole or in part, any electricity distribution apparatus, equipment, lines or facilities (A) located in the county and (B) directly or indirectly dedicated to providing electric power to any plant, facility or property subject to this subsection. Nor shall any payment in lieu of taxes be entered into with relation to any leasehold interest or any other property interest related thereto.

(2) *Tax Increment Financing*—Notwithstanding the provisions of §7-11B-1 *et seq.* of this code, or any other provision of this code, no tax increment financing project, plan or arrangement shall be entered into or undertaken with relation to any electricity generation or distribution property subject to this subsection.

(3) For purposes of this subsection, an electricity generating plant, facility, or generating unit or electricity distribution apparatus, equipment, lines, or facilities shall be deemed to be "dedicated" to providing electric power to any plant, facility, or property subject to this subsection if not less than 75% of the output of the electricity generation property or electricity distribution property, measured in kilowatt hours, are used to supply electricity to a facility, project, or series of related or integrated facilities within the county or counties subject to this subsection.

(4) For purposes of this section, property includes all real property, all buildings and structures affixed to land, and all tangible personal property, including, but not limited to equipment, inventories and mobile equipment, and also including property subject to special salvage valuation under §11-6A-1 *et seq.*, §11-6E-1 *et seq.*, §11-6H-1 *et seq.*, §11-6J-1 *et seq.*, §11-6F-1 *et seq.*, and §11-6L-1 *et seq.* of this code, or any other special *ad valorem* property valuation provision of this code; *Provided*, That property subject to special valuation shall be allowed that special valuation as authorized by law, for purposes of calculating and determining the *ad valorem* property tax imposed with relation thereto, notwithstanding being otherwise subject to the provisions of this section.

(h) *Microgrid District Development; Letters of Intent* — To become a certified microgrid district under this section, the person or entity must present the Secretary of the Department of Commerce with a confidential letter of intent. The letter of intent shall include sufficient economic, financial, and engineering information concerning the proposed project with sufficient detail to adequately inform the department of the size, scope, and nature of the target customers of the project, including, without limitation, the approximate proposed acreage and location, estimated capital investment, evidence of financial capacity, estimated project completion date, major project milestones, estimated generation capacity, estimated power loading internal to the microgrid, estimated power, including backup power, needed from the local distribution electric utility, estimated power supplied to the wholesale market, and the types or sources of each electric power generation unit. The letter of intent and all supplied information shall be held in confidence pursuant to §5B-2-21a(e) of this code by the department.

(i) *Microgrid District Development; Notice Period and Negotiation* — At least 120 days before submitting a letter of intent and other materials to the department, an applicant seeking a microgrid district certification must make good faith efforts to negotiate for the supply of all or part of its electricity needs for the project from the local distribution electric utility. The letter of intent must also include documentation evidencing the good faith efforts to negotiate. This time-period limitation and negotiation requirement does not apply to microgrid districts proposing to produce 300 megawatts or more of electricity or for microgrid districts that are proposing to not be connected in any way to the local distribution electric utility after completion of all construction.

(j) *Microgrid District Development; Special Contracts and Power Rates* — (1) A certified microgrid district seeking to apply for a special contract from a local distribution electric utility located in the state shall first enter negotiations for not more than 120 days with the local distribution utility regarding the terms and conditions of a special contract. The microgrid district shall

provide reasonable access and terms to the local distribution utility to enable the electric utility's transmission and/or distribution facilities to tie into those of the microgrid district. The 120-day negotiation period required by this section may be satisfied by the precertification negotiation period required by §5B-2-21(i) of this code.

(2) If the negotiations result in a mutually agreeable special contract, the contracting parties shall jointly file the special contract pursuant to the rules of the commission.

(3) If negotiations for a special contract with the local distribution utility are unsuccessful, a certified microgrid district may file a petition with the commission to establish a special contract.

(4) The commission shall establish a special contract upon the filing of a petition pursuant to this section. The Public Service Commission shall consider all relevant factors in establishing special contracts. The Public Service Commission shall establish a special rate for the requested service, including backup and supplemental service to a microgrid district. The microgrid district's load not covered by a contract shall be considered non-firm and interruptible. The commission shall issue a final order determining the terms of a special contract within 90 days of filing of a petition.

§5B-2-21a. Data Centers.

(a) Findings and purpose.—The Legislature hereby finds and declares the following:

(1) Data centers represent a significant and growing sector of the economy, generating substantial economic activity, including jobs, infrastructure investments, and technological innovation.

(2) Data centers are critical national infrastructure that require abundant, low-cost energy to protect sensitive data, operate high-level computation assets, and ensure the resilience of the digital economy.

(3) The People's Republic of China is positioning itself to be the global leader of data centers and is investing in technology to encourage the flow of data toward China instead of toward the United States.

(4) It is in the United States' national security interests to limit the flow of data to China and to protect the flow of data and maximize computational power inside the United States. The President has declared that it is the policy of the United States "to sustain and enhance America's global AI dominance in order to promote human flourishing, economic competitiveness and national security." Removing Barriers to American Leadership in Artificial Intelligence, Executive Order 14179 (Jan 23, 2025).

(5) As of early 2025, the highest concentration of high-level computational power and data centers in the world is located in Loudoun County, Virginia. This severe concentration of data centers in one location is a national security vulnerability because it invites the potential for cyberattacks and espionage against the Nation's critical data infrastructure.

(6) Data centers have historically obtained their electricity from the electric grid. Some data center developers now seek or require the use of microgrids to provide their primary and backup power.

(7) West Virginia is strategically positioned as the best location in the United States to place data centers due to: (A) its close proximity to Washington, D.C., and the federal government; (B) its close proximity to the majority of the Nation's population; (C) its low tax rates; (D) it having the least restrictive regulatory environment in the Nation; (E) its supply of abundant energy and natural resources to power the data centers; (F) its supply of resources, such as coal mine methane blended with natural gas, to assist data centers locating in West Virginia to meet their energy needs and environmental goals; and (G) its skilled and loyal workforce that has some of the lowest turnover rates in the Nation.

As such, the state has a significant interest in encouraging the development and expansion of data centers, which can serve as

drivers of broader economic growth. The Legislature finds that these externalities transcend local borders, including environmental concerns, energy consumption, and regional economic growth. Additionally, the provisions in this section align with the Legislature's goal of fostering a competitive, forward-thinking economy that benefits all residents.

(b) *Program established.*—The High Impact Data Center Program is hereby created and is to be administered as a program within the Division of Economic Development to encourage the continued development, construction, operation, maintenance, and expansion in West Virginia of high impact data centers. In order to effectuate the purposes of this section, the Division of Economic Development, or any agency, division, or subdivision thereof, may promulgate legislative rules, including emergency rules, in accordance with §29A-3-1 *et seq.* of this code.

(c) *Notification.*—Any data center shall compare its current or planned operations against the definition of "high impact data center" established in §11-6N-2 of this code and provide notification to the Division of Economic Development when the data center becomes aware that it will satisfy or has satisfied that definition. The notification will include information addressing the elements of that definition, including known or expected power consumption of the data center. This notification shall be made (1) within 30 days after the data center determines that it meets these requirements, or (2) when the data center reasonably anticipates that it will, at some future date, meet these requirements, in which case the data center may provide that anticipated future date in its notification.

(d) *Certification.*—The Secretary of the Department of Commerce shall identify and certify high impact data centers in this state upon a finding that a data center satisfies the requirements for the definition of "high impact data center" set forth in §11-6N-2 of this code. The Secretary shall issue confirmation of certification to a high impact data center within 14 days following receipt of the notification from the data center required by this section.

(e) *Recordkeeping.*—Any information provided by a data center pursuant to this section that is identified by the data center as confidential business information shall be exempt from the Freedom of Information Act. The Secretary shall take reasonable and appropriate steps to protect this information. Notwithstanding the foregoing, the Secretary shall maintain a complete list of all certified high impact data centers and all relevant information that can be made available to the Governor and Legislature, removing specifically identifying information to ensure confidentiality of any such information as identified by any high impact data center.

§5B-2-21b. Authority to assist certified microgrid district projects and certified high impact data center projects; legislative findings.

(a) *Findings and purpose.*—The Legislature hereby finds and declares the following:

(1) The findings and purpose set forth in §5B-2-21a(a) (2025), except to the extent expressly modified herein, are hereby incorporated herein by reference with the same force and effect as though fully set forth herein.

(2) It is in the best interests of the state to induce and assist in development of these projects, in order to advance the public purposes of relieving unemployment by preserving and creating jobs, and preserving and creating new and greater sources of revenue for the support of public services provided by the state and local government.

(3) It is the intent of the Legislature to occupy the whole field of the creation and regulation of certified microgrid districts and certified high impact data centers. The stated purpose of this section is to promote uniform and consistent application of the act within the state.

(b) The Department of Commerce shall assist projects developing or operating a certified microgrid district pursuant to §5B-2-21 of this code or a certified high impact data center pursuant to §5B-2-21a of this code. The Secretary of Commerce

shall designate one of their personnel as "Data Economy Liaison" to serve as a single point-of-contact for certified microgrid districts and high impact data centers to assist coordinate and expedite their development and operation, including, but not limited to site selection and permitting. A "certified microgrid district" is a microgrid project, regardless of stage of development or operation, that has been certified by the Secretary of the Department of Commerce as set forth in §5B-2-21 of this code. A "certified high impact data center" is a data center project, regardless of stage of development or operation, that has been certified by the Secretary of the Department of Commerce as set forth in §5B-2-21a of this code.

(c) This section prohibits:

(1) Counties and municipalities, whether by ordinance, resolution, administrative act, or otherwise, from enacting, adopting, implementing, or enforcing ordinances, regulations, or rules which limit, in any way, the creation of, and acquisition, construction, equipping, development, expansion, and operation of any certified microgrid district or certified high impact data center project; and

(2) Counties and municipalities from imposing or enforcing local laws and ordinances concerning the creation or regulation of any certified microgrid district or certified high impact data center therein.

(d) In accordance with §5B-2-21(b) and §5B-2-21(c) of this code, and notwithstanding any provision of this code to the contrary, or any municipality's home rule powers with respect to ordinances and ordinance procedures, including any authority pursuant to the Municipal Home Rule Program under §8-1-5a of this code, certified microgrid districts and certified high impact data centers may not be subject to the following:

(1) County or municipal zoning, horticultural, noise, viewshed, lighting, development, or land use ordinances, restrictions, limitations, or approvals;

(2) County or municipal building permitting, inspection, or code enforcement;

(3) County or municipal license requirements;

(4) The legal jurisdiction of the county or municipality in which the certified microgrid district or certified high impact data center is entirely or partially located, except as specifically provided in this article;

(5) Any requirement under state law for the consent or approval of the municipality in which a certified microgrid district or certified high impact data center is entirely or partially located of any state or county action pursuant to this code, specifically including, but not limited to, §7-11B-1 *et seq.* of this code, for formal consent of the governing body of a municipality for county or state action regarding the establishment of tax increment financing development or redevelopment districts or the approval of tax increment financing development or redevelopment plans.

(e) Notwithstanding the creation of a certified microgrid district or a certified high impact data center, the owner, operator, or manager, as applicable, and all tenants, lessees or licensees thereof, of a certified microgrid district or a certified high impact data center shall:

(1) Pay business and occupation tax, if applicable, pursuant to §8-13-5 of this code, to the municipality in the same manner as any other business or commercial venture located within the municipality;

(2) Collect and remit municipal sales and service tax and municipal use tax, if applicable, pursuant to §8-1-5a, §8-13C-4, and §8-13C-5 of this code, to the municipality in the same manner as any other business or commercial venture located within the municipality;

(3) Pay ad valorem real and personal property tax pursuant to the same millage rates as any other business or commercial venture located within the county and municipality;

(4) Pay all municipal service fees enacted pursuant to §8-13-13 of this code, including, but not limited to, fire, police, sanitation, or city service fees;

(5) Pay all utility rates, fees, and charges for utilities used or consumed during construction and operation of premises within the certified microgrid district or certified high impact data center, including, but not limited to, water, sewer, stormwater, and garbage and recycling collection: *Provided, That* (A) The rates, fees, and charges for such services shall be based on the cost of providing such service and the utility shall enter into a contract under the rules of the Public Service Commission for each such service with the developer and file the special contract with the Public Service Commission; and (B) the developer shall only be required to pay any capacity improvement fee or impact fee to the extent that capital additions, betterments, and improvements must be designed, acquired, constructed, and equipped by the utility to provide such service to the project; Utility customers outside of the microgrid district shall not bear any construction or operational costs associated with any new utility property built solely to provide service within a microgrid district;

(6) Be entitled to municipal police protection and municipal fire protection, if available, in the same manner as any other business or commercial venture located within the municipality; and

(7) Design, acquire, construct, and equip the certified microgrid district or certified data center pursuant to the State Building Code in accordance with §8-12-13 of this code and the corresponding State Rule 87 CSR 4.

(f) The Department of Commerce, Department of Environmental Protection, and Department of Transportation may take actions necessary in support of the development of any certified microgrid district or certified data center, including, but not limited to, the development or improvement of such highways, roads, thoroughfares, and sidewalks within any county or municipality in which the certified microgrid district or certified data center is partially or entirely located.

(g) In order to effectuate the purposes of this section, the Department of Commerce, or any agency, division, or subdivision thereof, may promulgate legislative rules, including emergency rules, in accordance with §29A-3-1 *et seq.* of this code.

ARTICLE 2N. GRID STABILIZATION AND SECURITY ACT OF 2023.

§5B-2N-2a. Creating the Electric Grid Stabilization and Security Fund.

(a) The Electric Grid Stabilization and Security Fund is hereby created. The fund shall be administered by the Department of Commerce and shall consist of all moneys made available for the purposes and from the sources set forth in this section of the code.

(b) The fund consists of moneys received from the following sources:

(1) All moneys received pursuant to §11-6N-4(b)(4)(C) of this code;

(2) All appropriations provided by the Legislature;

(3) Any moneys available from external sources; and

(4) All interest and other income earned from investment of moneys in the fund.

(c) The Department of Commerce shall use moneys in the fund to provide support for electric grid stabilization for regulated utilities and grid security, including development, efficiency, and environmental upgrades, but not decommissioning and replacement of existing facilities; maintenance of utility owned and operated coal and natural gas electric generation, regardless of unit or plant ownership by different regulatory jurisdictions; and transmission resources which solely serve West Virginia rate payers.

(d) Any balance, including accrued interest and any other returns, in the Electric Grid Stabilization and Security Fund at the

end of each fiscal year may not expire to the General Revenue Fund but remain in the fund and be expended for the purposes provided by this section.

(e) Fund balances may be invested with the state's Consolidated Investment Fund. Earnings on the investments shall be used solely for the purposes defined in §5B-2-16(c) of this code.

(f) In order to effectuate the purposes of this section, the Department of Commerce may promulgate legislative rules, including emergency rules, in accordance with §29A-3-1 *et seq.* of this code.

CHAPTER 11. TAXATION.

ARTICLE 6N. SPECIAL METHOD FOR VALUATION OF CERTAIN HIGH-TECHNOLOGY PROPERTY.

§11-6N-1. Legislative findings and purpose.

The Legislature hereby finds and declares the following:

The findings and purpose set forth in §5B-2-21a(a) (2025) (except to the extent expressly modified herein) are hereby incorporated herein by reference with the same force and effect as though fully set forth herein.

§11-6N-2. Definitions.

(a) *General*—When used in this article, words defined in §11-6N-2(b) of this code have the meanings ascribed to them in this section, except in those instances where a different meaning is provided in this article or the context in which the word is used clearly indicates that a different meaning is intended by the Legislature.

(b) *Definitions*—For purposes of this section, the following terms shall mean:

(1) "Affiliated group" means one or more chains of corporations, limited liability entities, or partnerships, or any combination thereof, connected through the ownership of stock or

ownership interests with a common parent which is a corporation, limited liability entity, or partnership, but only if the common parent owns directly, or indirectly, a controlling interest in each of the members of the group.

(2) "Base assessed value" means the taxable assessed value of all data center property of a high impact data center as shown upon the landbooks and personal property books of the assessor on July 1 of the calendar year preceding certification as a high impact data center.

(3) "Current assessed value" means the annual taxable assessed value of all data center property of a high impact data center as shown upon the landbook and personal property records of the assessor.

(4) "Critical IT load" means that portion of electric power capacity, expressed in terms of megawatts, which is reserved solely for owners or tenants of a data center to operate their computer server and required supporting equipment.

(5) "Data center property" means property used exclusively at a data center to construct, outfit, operate, support, power, cool, dehumidify, secure, or protect a data center and any contiguous dedicated substations. The term includes, but is not limited to, construction materials, component parts, machinery, equipment, computers, servers, installations, redundancies, and operating or enabling software, including any replacements, updates and new versions, and upgrades to or for such property, regardless of whether the property is a fixture or is otherwise affixed to or incorporated into real property.

(6) "High Impact Data Center" means a facility or group of facilities that:

(A) Consists of one or more parcels in this state, along with the buildings, substations and other infrastructure, fixtures, and personal property located on the parcels;

(B) Is owned, operated, or leased by an entity or affiliated group of entities;

(C) Is used to house and operate equipment that receives, stores, aggregates, manages, processes, transforms, retrieves, researches, or transmits data; or that is necessary for the proper operation of equipment that receives, stores, aggregates, manages, processes, transforms, retrieves, researches, or transmits data;

(D) Has a critical IT load in the aggregate of 90 megawatts total or higher; and

(E) Is placed into service on or after July 1, 2025.

(7) "Incremental value", for any high impact data center, means the difference between the base assessed value and the current assessed value. The incremental value will be positive if the current value exceeds the base value, and the incremental value will be negative if the current value is less than the base assessed value.

(8) "Microgrid power generator" includes any entity supplying power under the rules provided in §5B-2-21 of this code to a high impact data center.

(9) "Microgrid power generator property" means and includes any and all property used by microgrid power generator within a certified microgrid district.

(10) "Situs county" means the county or counties in which any High Impact Data Center property subject to tax is located, in relative proportion to the amount of data center property located therein.

(11) "Tax increment" means the amount of regular levy property taxes attributable to the amount by which the current assessed value of real and tangible personal property that is data center property of a high impact data center exceeds the base assessed value of the property.

§11-6N-3. Returns of property of high impact data centers to Board of Public Works.

(a) On or before May 1 in each year, a return in writing shall be filed with the Board of Public Works: By the owner or operator

of any company holding data center property of a high impact data center or a microgrid power generator supplying microgrid power to a high impact data center.

(b) The words "owner or operator," as applied herein to high impact data centers, shall include any owner or operator of a high impact data center or microgrid power generator.

(c) The return shall be signed and sworn to by the owner or operator if a natural person, or, if the owner or operator shall be a corporation, shall be signed and sworn to by its president, vice president, secretary, or principal accounting officer.

(d) The return required by this section of every owner or operator shall cover the year ending on December 31, next preceding, and shall be made on forms prescribed by the Board of Public Works, which board is hereby invested with full power and authority and it is hereby made its duty to prescribe the forms required from any owner or operator herein mentioned information as in the judgment of the board may be of use to it in determining the true and actual value of the properties of the owners or operators.

(e) Except for the special rules for tax distribution provided in §11-6N-4 of this code, the provisions of this article are subject to the Assessment of Public Service Businesses, set forth in §11-6-1, et seq. of this code, as if the provisions thereof were set forth in extenso in this article.

§11-6N-4. Special Rules for Tax Distribution of High Impact Data Centers.

(a) On and after July 1, 2025, any property subject to valuation under §11-6N-3 of this code shall be subject to the rules on tax distribution provided under this section.

(b) The State Auditor shall maintain a separate and discrete accounting of each High Impact Data Center project regarding tax distribution provided in this section and any distribution to which a county is entitled as provided by this section shall be distributed directly to the situs county for each project.

(c) *Ad Valorem* Property Tax Distribution—The provisions of this subsection are applicable to all data center property of a high impact data center upon certification as a high impact data center per §11-6N-2 of this code.

(1) For so long as the high impact data center exists, the State Auditor shall divide the *ad valorem* property tax revenue collected, with respect to taxable data center property of a high impact data center as follows:

(A) The amount of *ad valorem* property tax revenue that should be generated by multiplying the assessed value of the property for the then current tax year by the aggregate of applicable levy rates for the tax year;

(B) The amount of *ad valorem* property tax revenue that should be generated by multiplying the base assessed value of the property by the applicable regular *ad valorem* levy rates for the tax year;

(C) The amount of *ad valorem* tax revenue that should be generated by multiplying the base assessed value of the property for the current tax year by the applicable levy rates for general obligation bond debt service for the tax year;

(D) The amount of *ad valorem* property tax revenue that should be generated by multiplying the current assessed value of the property for the current tax year by the applicable excess levy rates for the tax year; and

(E) The amount of *ad valorem* property tax revenue that should be generated by multiplying the incremental value by the applicable regular levy rates for the tax year.

(2) The State Auditor shall determine from the calculations set forth in subdivision (1) of this subsection the percentage share of total *ad valorem* revenue for each levying body according to paragraphs (B) through (D), inclusive, of said subdivision by dividing each of such amounts by the total *ad valorem* revenue figure determined by the calculation in paragraph (A) of said subdivision; and

(3) On each date on which *ad valorem* tax revenue is to be distributed to the levying bodies, such revenue shall be distributed by:

(A) Applying the percentage share determined according to paragraph (B), subdivision (1) of this subsection to the revenues received and distributing such share to the levying bodies entitled to such distribution pursuant to current law;

(B) Applying the percentage share determined according to paragraph (C), subdivision (1) of this subsection to the revenues received and distributing such share to the levying bodies entitled to such distribution by reason of having general obligation bonds outstanding;

(C) Applying the percentage share determined according to paragraph (D), subdivision (1) of this subsection to the revenues received and distributing such share to the levying bodies entitled to such distribution by reason of having excess levies in effect for the tax year; and

(D) Applying the percentage share determined according to paragraph (E), subdivision (1) of this subsection to the revenues received and distributing such share to a fund dedicated at the time of construction of a high impact data center.

(4) In each year for which there is a positive tax increment, the State Auditor shall remit that portion of the *ad valorem* property taxes collected that consists of the tax increment and shall be distributed as follows:

(A) 50 percent of the increment shall be placed in the Personal Income Tax Reduction Fund provided in §11B-2-33 of this code;

(B) 30 percent of the increment to the situs county as defined in this article;

(C) 10 percent of the increment to all counties on a per capita basis according to the most recent census;

(D) 5 percent of the increment shall be placed Economic Enhancement Grant Fund administered by the Water Development Authority provided in §22C-1-6a; and

(E) 5 percent of the increment shall be placed in the Electric Grid Stabilization and Security Fund provided in §5B-2N-2a.

(5)(A) *Payment In Lieu Of Taxes, Increment Property*—Notwithstanding the provisions of §5D-1-14, §7-5-13, §7-11B-3(b), §7-11B-8(c)(4), §7-11B-15(a)(7), §7-11B-15(a)(15), §7-11B-18, §8-19-4, §8-29A-7, §8A-12-12, §11-13-2p, §11-13C-5(l)(1)(A), §16-13A-21, §16-15-18(b)(6), §17-16A-16(b), §17-16B-20(b), §18-9A-12(c), §31-21-5, and §31-21-15 of this code, or any other provision of this code, no payment in lieu of taxes shall be entered into with relation to any property subject to this section or any leasehold interest related thereto, or any other property interest related thereto.

(B) *Tax Increment Financing, Increment Property*—Notwithstanding the provisions of §7-11B-1 *et seq.* of this code, or any other provision of this code, no tax increment financing project, plan or arrangement shall be entered into or undertaken with relation to any property subject to this section.

§11-6N-5. Termination.

The provisions of this article shall sunset, expire, and be of no force and effect on or after December 31, 2055.

CHAPTER 11B. DEPARTMENT OF REVENUE

ARTICLE 2. STATE BUDGET OFFICE.

§11B-2-33. Personal Income Tax Reduction Fund.

(a) The personal income tax reduction fund is hereby established. The personal income tax reduction fund shall be funded continuously and on a revolving basis in accordance with this section, with all interest or other earnings on the moneys therein credited to the fund. The personal income tax reduction fund shall be funded as provided in §11-6N-4(b)(4) of this code.

Moneys in the personal income tax reduction fund may be expended solely for the purposes set forth in this section.

(b) Notwithstanding any other provision of this code to the contrary, on or before the last day of any fiscal year, the net proceeds of the personal income tax reduction fund will be certified and included as a portion of adjusted general revenue fund collections under the provisions of §11-21-4h of this code for that fiscal year.

(c) Not later than 60 days following the certification, the Secretary of Revenue shall transfer the certified amount determined in subsection (b) of this section to the general revenue fund. The amounts transferred will not be included as a portion of adjusted general revenue fund collections under the provisions of §11-21-4h of this code for the fiscal year in which the money is transferred.

(d) The moneys in the income tax reduction fund shall be made available to the West Virginia Board of Treasury Investments and to the West Virginia Investment Management Board for management and investment of the moneys in accordance with the provisions of §12-6C-1 *et seq.* of this code in such amounts as may be directed in the discretion of the Secretary of Revenue. Any balance of the income tax reduction fund, including accrued interest and other return earned thereon at the end of any fiscal year, shall not revert to the General Fund but shall remain in the income tax reduction fund for the purposes set forth in this section.

(e) Termination – Upon the certification of a reduction in the personal income tax under the provisions of §11-21-4h of this code that results in the elimination of the personal income tax, or if the personal income tax provided for under §11-21-1 *et seq.* is eliminated by separate enactment of the Legislature, this fund will be thereby eliminated and any monies dedicated thereto shall be dedicated to the general revenue of the state.

CHAPTER 24. PUBLIC SERVICE COMMISSION.

ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.

§24-2-1d. Future electric generating capacity requirements.

(a) In order to maximize the use of electricity generated within the state by using coal or natural gas produced within the state, the Public Service Commission shall by order, no later than December 31, 1989, establish the schedule and amount of future electric generating capacity additions required by each West Virginia electric utility, for the next ten years, taking into account: (i) Projected load growth; (ii) existing generating capacity; (iii) existing contractual commitments to sell or purchase capacity; (iv) planned retirement and life extensions of existing capacity; (v) planned construction of capacity; (vi) availability of capacity from generating units of affiliated companies; (vii) capacity factors for existing generation; and ~~(vii)~~ (viii) such other reasonable factors as the commission may deem relevant and appropriate to consider. For purposes of this section, "capacity factor" shall mean the ratio of the actual energy produced by a power plant over a specific period to the maximum possible energy it could have produced if running at full capacity during that same period.

(b) If the commission determines after considering all such named and other relevant and appropriate factors that a utility will be required to purchase electric generating capacity beyond those agreements approved by the Federal Energy Regulatory Commission or the West Virginia Public Service Commission in order to serve its West Virginia customers, the amount of such required additional purchased capacity so identified by the commission will for purposes of this section be referred to as the utility's "projected deficient capacity": *Provided*, That this subsection shall not include power generating facilities whose total production of electricity is sold outside the State of West Virginia.

(c) In the interests of: Keeping utility rates of residential customers as low as possible; keeping utility rates for commercial and industrial customers competitive with those of other states; attracting new industry for which electric power costs are a major factor in location determinations; and of not placing any greater

cost burden on government than is absolutely necessary for its electric power needs, each utility shall acquire, if reasonable, its projected deficient capacity from electric generation situated in West Virginia which burns coal or gas produced in West Virginia and which will provide the most reliable supply of capacity and energy at the least cost to those customers of the utility who will be served by such electric generation: *Provided*, That all power purchase contracts executed prior to the effective date of this section which satisfy the following requirements, regardless of location, shall be considered, for the purposes of this subsection, as electric generation situated in West Virginia: (1) Said contracts were negotiated in accordance with procedures and priced according to methodologies of other contracts which the commission has ordered approved; (2) said contracts either guarantee or are substantially amended to guarantee for the life of the contract the use of an amount of West Virginia fuel which equals or exceeds the amount which would be required, on a percentage of output basis, to produce the amount of electric power to be consumed in West Virginia; and (3) said contracts meet the requirements for a qualifying facility established by the Federal Energy Regulatory Commission pursuant to the Public Utility Regulatory Policies Act of 1978.

(d) The commission shall evaluate each capacity auction conducted by PJM Interconnection, LLC, or its successor and, to the maximum extent permitted by law, encourage the coordination of the voluntary participation of every electric generating unit in the state in each capacity auction for the benefit of ratepayers in the state.

(e) In order to ensure the state's existing generating units can continue to meet future generation needs, the commission shall conduct a review of each generating unit's current consumer economic dispatch. Factors to be considered by the commission in reviewing consumer economic dispatch shall include, but not be limited to: (1) current capacity factors; (2) management of fuel supplies and contracts; (3) overall plant operation and maintenance; (4) placement of bids in the PJM Interconnection, LLC, or its successor's day-ahead and real-time energy markets;

(5) utilization of the PJM Interconnection, LLC, or its successor's Reliability Pricing Model (RPM) or Fixed Resource Requirement (FRR); and (6) the utilization of automatic adjustment clauses, price indexes, or fuel adjustment clauses by the utilities. For purposes of this section, "consumer economic dispatch" shall mean the process of operating generation facilities to produce electricity at the lowest cost while reliably meeting consumer demand, considering the operational limits of generation and transmission facilities.

(f) Electric utilities shall be prepared to maximize the production of electricity from their generating units when such self-generation will result in reduced energy costs for West Virginia ratepayers. The commission shall require the utilities to maintain their thermal baseload generating units in a manner to allow them to be able to self-generate and achieve at least a sixty-nine percent capacity factor. Nothing herein shall require a utility to operate a generating unit at a sixty-nine percent capacity if doing so will cause an increase in the charge or charges for electric energy over and above the established and published tariff, rate, joint rate, charge, toll or schedule. The commission shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code to carry out its duties and obligations as set forth herein.

§24-2-1q. Base fuel coal supply requirements for electric grid resiliency.

Any coal-fired power plant owned by a public electric utility as of the effective date of this section shall, Recognizing that coal inventories at coal-fired power plants may increase and decrease over time, in order to ensure grid resiliency and homeland security, each generating public utility shall plan incoming and outgoing coal so as to maintain a an average annual minimum 30-day aggregate coal supply on site at each coal-fired power plant under contract for the remainder of the life of those plants. The commission may propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code to carry out its duties and obligations as set forth herein.

§24-2-15. Certain Automatic adjustment clauses, price indexes or fuel adjustment clauses prohibited.

The commission shall not enforce, originate, continue, establish, change or otherwise authorize or permit an increase in the charge or charges for electric energy over and above the established and published tariff, rate, joint rate, charge, toll or schedule ~~through~~ as the result of any automatic adjustment clause, fuel supply price index, or fuel adjustment clause. Automatic adjustment clauses, fuel supply contract price indexes, or fuel adjustment clauses that do not create a net increase in the charge or charges for electric energy over and above the established and published tariff, rate, joint rate, charge, toll, or schedule shall be permitted by the commission. For purposes of this section, a "net increase" in the charge or charges for electric service shall mean that for the calendar year in which the automatic adjustment clause, fuel supply contract price index, or fuel adjustment clause is utilized, the average charge or charges for electric energy are higher than they would have been if the adjustment clause, fuel supply contract price index, or fuel adjustment clause were not utilized. The commission shall encourage the use of permitted automatic adjustment clauses, fuel supply contract price indexes, or fuel adjustment clauses as a means of increasing the generation of coal-fired power plants within the state. The Commission shall promulgate procedural rules governing the utilization of automatic adjustment clauses, fuel supply contract price indexes, and fuel adjustment clauses.

§24-2-19. Integrated Resource Planning Required.

(a) Not later than March 31, 2015, the Public Service Commission shall issue an order directing any electric utility that does not have an existing requirement approved by the Public Service Commission that provides for the future review of both supply side and demand side resources to develop an initial integrated resource plan to be filed not later than January 1, 2016, in conjunction with other similar deadlines required by other states or entities of the electric utilities. This order may include guidelines for developing an integrated resource plan.

(b)(1) Any electric utility that has an existing requirement approved by the Public Service Commission that provides for the future review of both supply side and demand side resources is exempt from this initial integrated resource plan filing until such time as that existing requirement has been satisfied. Thereafter, such electric utility is required to file an integrated resource plan pursuant to §24-2-19(a) of this code.

(2) Each electric utility that has filed the initial integrated resource plan shall file an updated plan at least every five years after the initial integrated resource plan has been filed. Any electric utility that was exempt from filing an initial integrated resource plan shall file an integrated resource plan within five years of satisfying any existing requirement and at least every five years thereafter. All integrated resource plans shall comply with the provisions of any relevant order of the Public Service Commission establishing guidelines for the format and contents of updated and revised integrated resource plans.

(c) The Public Service Commission shall analyze and review an integrated resource plan. The Public Service Commission may request further information from the utility, as necessary. Nothing in this section affects the obligations of utilities to obtain otherwise applicable commission approvals.

(d) The Commission may consider both supply-side and demand-side resources when developing the requirements for the integrated resource plans. The plan shall compare projected peak demands with current and planned capacity resources in order to develop a portfolio of resources that represents a reasonable balance of cost and risk for the utility and its customers in meeting future demand for the provision of adequate and reliable service to its electric customers as specified by the Public Service Commission.

(e) The commission shall by order, entered no later than July 1, 2025, require all electric utilities operating in the state to supplement their existing integrated resource plans to include a detailed plant upgrade and maintenance plan, improvement compliance schedule, and cost estimate for ensuring the operation

of each generating unit through their planned retirement date. The supplemental integrated resource plan shall also include an analysis of the action necessary to extend the life of each generating unit beyond their planned retirement date. Subject to notice and comment from interested parties, the commission may approve the supplemental integrated resource plan without modification or require modification of the supplemental plan before it is approved. The commission shall promulgate rules requiring the supplementation of integrated resource plans as required by this provision. The rules shall also provide a procedure for utilities to submit an independent evaluation of any modification required by the commission hereunder or to challenge such required modification.

§24-2-21a. Commission authority required when closing an electric generating plant and circumstances of closure in another jurisdiction.

(a) A public electric utility may not retire, abandon, close, or otherwise permanently render incapable of operating, any electric generating plant or unit without the prior consent and approval of the commission. No funds obtained from (1) the Grid Stabilization and Security Fund set forth in 5B-2N-2a, (2) an environmental control bond issued pursuant to 24-2-4e, (3) a consumer rate relief bond issued pursuant to 24-2-4f, (4) or a utility consumer rate relief bond issued pursuant to 24-2-4h shall be used by a public utility to retire, abandon, close, or otherwise permanently render incapable of operating, any electric generating plant or unit.

(b) If an electric utility serving customers in both West Virginia and in an area not subject to the jurisdiction of the commission is ordered to cease operations of a generating plant or unit by the regulating authority of the other jurisdiction and the costs of the plant or unit had been shared through an allocation process for rate making purposes and after a commission proceeding and determination that a generating plant or unit should continue to operate, then the utility shall recover all of the capital, operating and maintenance costs of the electric generation plant or unit from its West Virginia customers to the extent that such costs are no longer allocable to the other jurisdiction, and all of the associated

capacity, energy, and environmental attributes shall be assigned to its customers and operations in West Virginia.;

And,

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

Eng. Com. Sub. for House Bill 2014—A Bill to amend and reenact §5B-2-21, §24-2-1d, §24-2-1q, §24-2-15, §24-2-19, and §24-2-21a 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, all relating to the generation and consumption of electric power; establishing the certified microgrid development program; providing for microgrid certification requirements; providing for microgrid electric service requirements; providing for microgrid customer eligibility; providing for microgrid special contracts; prohibiting microgrids from participating in Pilot and tax increment financing programs; defining microgrid property subject to property tax; providing for microgrid letter of intent, notice period and negotiation; providing for microgrid special contracts; establishing the high impact data center program; providing for notification, certification, and recordkeeping; authorizing certain agencies to assist certified microgrid districts and certified high impact data centers; prohibiting local jurisdiction regulation of microgrid districts and high impact data centers; providing for payment of certain fees and taxes; providing for certain services to microgrid districts and certified high impact data centers; establishing the electric grid stabilization and security fund and its purpose; creating new article relating to special method for valuation of certain high technology property; defining terms; providing for microgrid districts and certified high impact data centers property returns to be filed with Board of Public Works; providing for special rules for tax distribution; establishing certain funds to receive distributions; terminating article; establishing the personal income tax reduction fund and providing for purpose; providing for additional duties of public service commission relating to future electric generating

capacity, base fuel coal supply for electric grid resiliency, consumer rate relief bonds, and automatic adjustment clauses, price indexes, or fuel adjustment; providing for rulemaking; and providing that certain funds may not be used by a public utility to close or cease operations at an electric generating plant.

Senator Martin moved that the Senate concur in the House of Delegates amendments to the Senate amendments to the bill.

Following discussion,

The question being on the adoption of Senator Martin's aforesated motion, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 2014, as amended, was then put upon its passage.

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

The nays were: Phillips—1.

Absent: Boley—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 H. B. 2014) passed with its House of Delegates amended title.

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

Thereafter, at the request of Senator Woelfel, and by unanimous consent, the remarks by Senator Phillips as to the passage of Engrossed Committee Substitute for House Bill 2014 were ordered printed in the Appendix to the Journal.

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

Eng. House Bill 2344, Relating generally to traffic safety.

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

Eng. Com. Sub. for House Bill 2351, Relating to compensation for panel attorneys.

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

Eng. House Bill 2358, Relating to postmortem examinations.

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

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

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

Eng. House Bill 2479, Relating to Management and control of county authority vested in board.

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

Eng. House Bill 2575, Relating to the establishment of a full-time Dementia Services Director position.

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

Eng. Com. Sub. for House Bill 2718, Relating to creating a State Advisory Council on Establishing a Military College.

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

Eng. Com. Sub. for House Bill 2755, To provide that the West Virginia Board of Education may promulgate rules or policies to be submitted to the Legislature for review.

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

Eng. Com. Sub. for House Bill 3016, Photo voter ID.

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

Eng. Com. Sub. for House Bill 3152, Claims Bill.

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 3181, Allow all law enforcement officers to purchase gun upon retirement.

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

On further motion of Senator Martin, the Senate acceded to the request of the House of Delegates and receded from its amendments to the bill.

Engrossed Committee Substitute for House Bill 3181, as amended by deletion, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—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 H. B. 3181) passed with its title.

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

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

Eng. House Bill 3272, Relating to eviction proceedings.

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

Eng. Com. Sub. for House Bill 3279, Relating to requirements for WVU and WVSU Board of Governors.

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

Eng. Com. Sub. for House Bill 3429, Prequalifying consultants for WVDEP- Abandon Mine Lands.

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

Eng. House Bill 3492, Relating to municipal economic opportunity development districts.

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

Eng. House Bill 3503, Relating to regulation by counties, municipalities, and political subdivisions of commercial horticulture under the Water Pollution Control Act.

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

Eng. House Bill 3517, Relating generally to fiscal emergencies of local governments.

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

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

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

CHAPTER 6. GENERAL PROVISIONS RESPECTING OFFICERS.

ARTICLE 9D. LOCAL FISCAL EMERGENCIES.

§6-9D-1. Legislative findings.

(a) The Legislature finds:

(1) That local governments are instrumentalities of this state, and the Legislature must act for the public health, safety and welfare of its citizens to promote fiscal integrity of local governments to prevent future emergencies;

(2) That negative economic changes, waste, fraud or abuse by public officials, or a combination thereof, necessarily result in a significant impact on the revenues and effectiveness of local governments, and cause significant indebtedness without any current possibility for recovery; and

(3) That the failure of a local government to take actions on its own to address such a condition will adversely affect the health, safety and welfare not only of the residents of the local government, but also of other people of the state.

(b) It is the intent of the Legislature to direct the State Auditor or a designee to:

(1) Take necessary and appropriate actions to limit and restrict the powers of local governments to prevent the abuse of statutory powers;

(2) Require reports and examinations of their financial condition, transactions, operations and undertakings;

(3) Ensure the fiscal integrity of local governments so that they may provide for the health, safety and welfare of their citizens; and

(4) Determine if local governments have paid due principal and interest on their debt obligations, meet financial obligations to their employees, vendors and suppliers, and provide for proper financial accounting procedures, budgeting and taxing practices.

(c) The Legislature further finds that the fiscal emergency conditions described in this article result from and constitute abuses of the powers of a local government to borrow money, contract debts and levy taxes, and that those conditions impair and

threaten the health, safety and welfare of the people of the state within and beyond the local government.

§6-9D-2. Definitions.

As used in this article:

"Committee" means a financial planning and supervision group created pursuant to this article.

"Debt obligations" means bonds, notes, certificates of indebtedness, bond anticipation notes, current revenue notes, local government fund notes, leases or other obligations issued or incurred in borrowing money, or to renew, refund, fund or refinance, or issued in exchange for, such obligations, and any interest coupons pertaining thereto.

"Default" means failure to pay the principal of or the interest on a debt obligation, or failure to make other payment to be made to the holder or owner of a debt obligation, in the full amount and at the time provided for in the contractual commitment with respect thereto, unless the time for such payment has been extended by the owner or holder of the debt obligation without penalty or premium and without the effect of subjecting the local government to the initiation of remedies pertaining to such debt obligation or other debt obligations.

"Deficit fund" means the general fund or any other fund of a local government that, as at the time indicated, has a deficit balance or a balance that is less than the amount required to be in such fund pursuant to law or pursuant to contractual requirements, demonstrating that over a period of time expenditures charged or chargeable to the fund have exceeded moneys credited to the fund, or that moneys credited to the fund have not been in the amounts required by law or contractual requirements.

"Effective financial accounting and reporting system" means an accounting and reporting system as prescribed by the West Virginia State Auditor's Office.

"Employee benefits" means expenditures for goods and services furnished to local government officers or employees by the local government, including, but not limited to, such benefits as food, temporary housing and clothing, and the provision of pension, retirement, disability, hospitalization, health care, insurance or other benefits to employees requiring the advance payment of money other than directly to employees or other beneficiaries, or the deposit or reservation of money for such purpose.

"Estimated revenues" means the aggregate estimates of revenue receipts in the budget of the general fund of a local government and other funds as estimated and supplemented, modified, or amended by the local government, as approved by the West Virginia State Auditor's Office or other regulatory agency.

"Financial recovery plan" means the financial plan approved by the committee in accordance with §6-9D-6 of this code, as it may from time to time be amended in accordance with this article.

"Fiscal emergency" means the existence of fiscal emergency conditions as set forth in this article.

"Fiscal emergency period" means the period of time commencing on the date when the determination of a fiscal emergency is made by the State Auditor or a designee and ending when the determination of termination is made and certified.

"Fiscal watch" means the existence of fiscal watch conditions as provided in this article.

"General fund" means the fund used to account for and report the primary operating activities of the local government.

"General fund budget" means the estimates of revenue and expenditure as a plan of financial operation of the general fund during the applicable fiscal year as approved by the West Virginia State Auditor's Office.

"Local government" means any unit of local government within the state, including a county, municipality, and any other

authority, board, commission, district, office, public authority, public corporation, or other instrumentality of a county, municipality, or any combination of two or more local governments.

"Other funds" means funds other than the general fund, including, but not limited to, special revenue funds, capital project funds, debt service funds, permanent funds, enterprise funds, internal service funds, pension trust funds, custodial funds, investment trust funds, and private purpose trust funds.

"Payroll" means compensation due and payable to employees of local government other than employee benefits.

§6-9D-3. Auditable Condition of Local Governments.

Notwithstanding the powers and duties granted to the State Auditor in §6-6-1 *et seq.* the State Auditor or designee may determine that a local government's accounts, records, files, or reports have not been maintained in accordance with §6-9-2 of this code. The State Auditor or designee shall notify the local government, in writing, of the deficiencies present and the action necessary to present the accounts, records, files, or reports in an auditable condition. Furthermore, the State Auditor or designee may prescribe the deadline for the local government in completing the necessary action and institute a fiscal monitoring plan to improve the local government's financial records.

§6-9D-4. Initiating fiscal watch review.

(a) A local government may undergo a fiscal watch review by the State Auditor to determine whether it is approaching a state of fiscal emergency. A fiscal watch review shall be initiated by a written request to the State Auditor or a designee from the governing body when duly authorized by a majority of the members of such body ; or may be initiated by the State Auditor or a designee if conditions for a fiscal watch have been determined to exist. Fiscal watch conditions include but are not limited to (1) the inability of a local government to meet financial obligations; (2) the lack of adequate financial records necessary to conduct an

examination pursuant to §6-9-1 *et seq.* of this code; or (3) an examination pursuant to §6-9-1 *et seq.* of this code would cause an undue financial burden to the local government.

(b) The State Auditor or a designee will notify the local government when a fiscal watch review will or will not be conducted. The State Auditor's Office will perform the fiscal watch review, which may be substituted for an examination, as required by §6-9-1 *et seq.* of this code at the discretion of the State Auditor or a designee.

(c) All working papers acquired or created to produce the fiscal watch review shall be considered confidential pursuant to §6-9-9b of this code.

§6-9D-5. Guidelines for identifying potential for declarations of fiscal watch or fiscal emergency; rulemaking authority.

(a) The State Auditor or a designee shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code, setting forth guidelines for identifying fiscal practices and budgetary conditions of local government that, if uncorrected, could result in declaration of a fiscal watch or fiscal emergency.

(b) If the State Auditor or a designee determines that a local government is engaging in any of the practices set forth in the legislative rule promulgated pursuant to the provisions of this section or that any of those conditions exist, the State Auditor or a designee may declare the local government to be under a fiscal watch.

(c) The State Auditor or a designee, may visit and inspect any local government that is declared to be under a fiscal watch. The State Auditor or a designee may provide technical assistance to the local government in implementing proposals to eliminate the practices or budgetary conditions that prompted the declaration of fiscal watch and may make recommendations concerning those proposals.

§6-9D-6. Conditions constituting grounds for fiscal watch.

In addition to the conditions set out in the legislative rule promulgated pursuant to the provisions of §6-9D-11 of this code the following also constitute grounds for a fiscal watch may include, but are not limited to:

(1) Accounts have been due and payable for more than 30 days or for which a penalty was added for failure to pay. Accounts include, but are not limited to, final judgments, employee benefits payments due and payable, and amounts due and payable to persons and other governmental entities and including any interest and penalties thereon. Accounts that are due and payable do not include any account, or portion of any account, that is being contested in good faith.

(2) The deficit amount within the general fund for the preceding fiscal year exceed the estimated revenues made in the general fund budget of the current fiscal year.

(3) The local government has failed to comply with debt covenants as required by the issuer of any debt with such requirement.

§6-9D-7. Declaring existence of fiscal watch; financial recovery plan.

(a) Upon determining that one or more of the conditions constituting grounds for a fiscal watch are present, the State Auditor or a designee shall issue a written declaration of the existence of a fiscal watch and provide the same to the governing body of the local government.

(b) The fiscal watch shall be in effect until the State Auditor or a designee determines that the conditions have been satisfactorily addressed, cancels the watch, or until the State Auditor or a designee determines that a state of fiscal emergency exists. The State Auditor or a designee, shall provide such technical and support services to the municipal corporation, county or political subdivision after a fiscal watch has been declared to exist as the

State Auditor or a designee considers necessary and provide recommendations to address the fiscal watch conditions.

(c) Within 90 days after the day a written declaration of the existence of a fiscal watch is issued under this section, the governing body of the local government for which a fiscal watch was declared shall submit to the State Auditor or a designee a financial recovery plan that shall identify actions to be taken to eliminate all of the conditions described in §6-9D-6 of this article, and shall include a schedule detailing the approximate dates for beginning and completing the actions and a five-year forecast reflecting the potential effects of the actions. The financial recovery plan also shall evaluate the feasibility of entering into shared services agreements with other political subdivisions for the joint exercise of any power, performance of any function, or rendering of any service, if not precluded by statute. The financial recovery plan is subject to review and approval by the State Auditor or a designee pursuant to the provisions of the rules promulgated pursuant to this article. The State Auditor or a designee may extend the amount of time by which a financial recovery plan is required to be filed, for good cause shown.

(d) The State Auditor or a designee may declare that a fiscal emergency condition exists under this article in the municipal corporation, county or political subdivision if either of the following applies:

(1) A feasible financial recovery plan for a local government filed pursuant to the provisions of this article and for which a fiscal watch was declared is not submitted within the time period prescribed by this section, or within any extension of time thereof; or

(2) The State Auditor or a designee finds that a local government for which a fiscal watch has been declared has not made reasonable proposals or otherwise taken action to discontinue or correct the fiscal practices or budgetary conditions that prompted the declaration of fiscal watch, and the State Auditor or a designee determines a fiscal emergency declaration is necessary to prevent further decline.

(e) If the State Auditor or a designee finds that a local government declared to be under a fiscal watch has not made reasonable proposals or otherwise taken action to discontinue or correct the fiscal practices or budgetary conditions that prompted the declaration of fiscal watch, and if the State Auditor or a designee considers it necessary to prevent further fiscal decline, the State Auditor or a designee may determine that the local government should be in a state of fiscal emergency as set forth in this article

§6-9D-8. Determining existence of fiscal emergency conditions.

(a) The existence of fiscal emergency conditions as set forth in §6-9D-9 of this code shall be determined by the State Auditor or a designee as set forth in rules authorized pursuant to this article. Fiscal emergency condition determinations shall be set forth in written reports by the State Auditor or a designee, which shall be filed with the governing body, the State Treasurer, Secretary of State, Governor, and Legislative Auditor.

(b) In making such determination, the State Auditor or a designee may rely on reports or other information filed or otherwise made available by the local government, accountants' reports, or other sources and data the State Auditor or a designee considers reliable for such purpose. The determination of a fiscal emergency condition may be made without need of the specific amounts noted related to such conditions.

§6-9D-9. Fiscal emergency conditions.

(a) The conditions constituting a fiscal emergency of a local government may include, but are not limited to:

(1) The existence, of a default on any debt obligation for more than 30 days.

(2) The failure to make payment of all payroll to employees of the local government in the amounts and at the times required by law, ordinances, resolutions, or agreements.

(3) The failure to make payment of all employee benefits of the local government in the amounts and at the times required by law, ordinances, resolutions, or agreements.

(4) The existence of a condition in which accounts were due and payable from the general fund and that either had been due and payable for at least 30 days or to which a penalty has been added for failure to pay, including, but not limited to, final judgments, employee benefits payments due and payable, and amounts due and payable to persons and other governmental entities and including any interest and penalties thereon. Accounts due and payable do not include any account, or portion of any account, that is being contested in good faith.

(5) The deficit amount within the general fund for the preceding fiscal year exceed the estimated revenues made in the general fund budget of the current fiscal year.

(6) The local government has failed to comply with debt covenants as required by the issuer of any debt with such requirement.

(7) Any such rule, as proposed by the State Auditor or a designee for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code, identified as indicators of a financial emergency condition.

(8) The State Auditor or a designee declares a fiscal emergency pursuant to §6-9D-8 of this code.

(b) Any condition described in subdivisions (4), (5), (6) or (7) of subsection (a) of this section shall not constitute a fiscal emergency condition if the local government clearly demonstrates to the satisfaction of the State Auditor or a designee that such condition no longer exists prior to the time of the determination.

(c) Neither the time periods nor the amounts used in subsection (a) of this section to determine what constitutes a fiscal emergency condition of a local government for purposes of this article authorize actions otherwise contrary to law or any agreement of the local government.

§6-9D-10. Appeal of decision of State Auditor.

(a) A determination by the State Auditor or a designee that a fiscal emergency condition does not exist is final, conclusive and not appealable. A determination by the State Auditor or a designee under this section that a fiscal emergency exists is final, except that the governing body affected by a determination of the existence of a fiscal emergency condition under this section, when authorized by a majority of the members of their governing body, may appeal the determination of the existence of a fiscal emergency condition to the circuit court of the county having territorial jurisdiction over the local government. The appeal shall be heard expeditiously by the circuit court for good cause shown and, except as otherwise provided in this code, shall take precedence over all other civil matters except earlier matters of the same character. Notice of such appeal must be filed with the State Auditor or a designee and such court within 30 days after the notification of a fiscal emergency determination by the State Auditor or a designee to the governing body of the local government as provided for in subsection (a) of this section.

(b) Upon such appeal, determinations of the State Auditor or a designee shall be presumed to be valid and the local government shall have the burden of proving, by clear and convincing evidence, that each of the determinations made by the State Auditor or a designee as to the existence of a fiscal emergency condition under this article was in error. If the local government fails, upon presentation of its case, to prove by clear and convincing evidence that each such determination by the State Auditor or a designee was in error, the court shall dismiss the appeal. The local government and the State Auditor or a designee may introduce any evidence relevant to the existence or nonexistence of such fiscal emergency conditions at the times indicated in the applicable provisions of subsections (a) and (b) of this section.

(c) The pendency of any such appeal shall not affect or impede the operations of this article; no restraining order, temporary injunction, or other similar restraint upon actions consistent with this article shall be imposed by the court or any court pending determination of such appeal; and the actions of the State Auditor

taken pursuant to this article may continue regardless of the pendency of any such appeal. Any action taken or contract executed pursuant to this article during the pendency of such appeal is valid and enforceable among all parties, notwithstanding the decision in such appeal. If the circuit court reverses the determination of the existence of a fiscal emergency condition by the State Auditor or a designee, the determination no longer has any effect, and any procedures undertaken as a result of the determination shall be terminated.

(d) All expenses incurred by the State Auditor or a designee relating to a determination or termination of a fiscal emergency or a fiscal watch under this article, including providing technical and support services, or for conducting a financial review, shall be reimbursed from an appropriation for that purpose. If necessary, the governing body of the local government may provide sufficient funds for these purposes.

§6-9D-11. Financial planning and supervision committee; rule-making authority.

(a) Upon the occurrence of a fiscal emergency in any local government, there is established, with respect to that local government, a supervising committee to perform essential governmental functions of the local government to be known as the "financial planning and supervision committee for (name of local government)", which, in that name, may exercise all authority vested in such a committee provided by this article. Furthermore, if a local government in which fiscal watch or fiscal emergency exists has failed to develop a financial recovery plan the "financial planning and supervision committee for (name of local government)" may develop such a plan for the local government.

(b) The State Auditor shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code, setting forth the following:

(1) Minimum requirements for the composition of the members of said committee;

(2) The rules of governance for such a committee;

(3) Requirements for the detailed financial recovery plan to be submitted by the subject local government;

(4) The powers, duties and functions of the committee;

(5) The payment of expenses and obligations;

(6) The establishment of enhanced financial reporting;

(7) The requirements of the local government operating under the plan;

(8) Recourse for a noncompliant local government;

(9) Limitations for appropriations;

(10) Communications of the committee;

(11) The approval of debt obligations;

(12) The issuance of general obligation, special obligation, or revenue bonds and notes in anticipation of bonds; and

(13) The continuance and dissolution of the committee.

§6-9D-12. Compliance

(a) Local government officials shall:

(1) Take the necessary corrective action recommended by the State Auditor or designee pursuant to §6-9D-3 of this code to present financial records in an auditable condition.

(2) Complete any recommendations imposed by the State Auditor or designee pursuant to §6-9D-7 of this code.

(3) Provide a financial recovery plan in accordance with §6-9D-7 of this code.

(4) Make reasonable proposals or otherwise take action to discontinue or correct the fiscal practices or budgetary conditions that prompted the declaration of fiscal watch or fiscal emergency.

(5) Comply with the financial recovery plan instituted by a financial planning and supervision committee created pursuant to §6-9D-11 of this code.

(b) If local government officials fail to adequately comply with the provision of this section, the State Auditor or designee may institute appropriate recourse measures pursuant to the rules authorized by §6-9D-11 of this code.

§6-9D-13. Prohibition against relief under federal bankruptcy laws unless authorized.

(a) No county, municipality, school district, authority, division, instrumentality, political subdivision, or public body corporate created under the Constitution or laws of this state shall be authorized to file a petition for relief from payment of its debts as they mature or a petition for composition of its debts under any federal statute providing for such relief or composition or otherwise to take advantage of any federal statute providing for the adjustment of debts of political subdivisions and public agencies and instrumentalities without the express, written permission of the State Auditor.

(b) No chief executive, mayor, board of commissioners, city council, board of trustees, or other governmental officer, governing body, or organization shall be empowered to cause or authorize the filing by or on behalf of any county, municipality, school district, authority, division, instrumentality, political subdivision, or public body corporate created under the Constitution or laws of this state of any petition for relief from payment of its debts as they mature or a petition for composition of its debts under any federal statute providing for such relief or composition or otherwise to take advantage of any federal statute providing for the adjustment of debts of political subdivisions and public agencies and instrumentalities without the express, written permission of the State Auditor.

§6-9D-14. Severability.

(a) In case any section or provision of this article, including any condition or prerequisite to any action or determination thereunder, or in case any act or action, or part thereof, made, or taken under this article, or any application thereof, is for any reason held to be illegal or invalid, such illegality or invalidity shall not affect the remainder thereof or any other section or provision of this article, including any condition or prerequisite to any action or determination thereunder, or any agreement, act or action, or part thereof, made, entered into, or taken under such article, which shall be construed and enforced and applied as if such illegal or invalid portion were not contained therein, nor shall such illegality or invalidity or any application thereof affect any legal and valid application thereof, and each such section, provision, agreement, act, or action, or part thereof, shall be deemed to be effective, operative, made, and entered into or taken in the manner and to the full extent permitted by law.

(b) Any action or proceeding bringing into question the interpretation, legality, or validity of any provision of this article, the existence or authority, or the legality or validity of any act, of the committee or the State Auditor or of any action taken under this article, is a matter of great public interest to the state and shall be advanced on the docket of the court and expedited to final determination.

CHAPTER 8. MUNICIPAL CORPORATIONS.**ARTICLE 35. DISSOLUTION OF MUNICIPALITIES.****PART I. FORFEITURE OF CHARTER OR
CERTIFICATE OF INCORPORATION.****§8-35-1. Forfeiture of charter or certificate of incorporation;
notice; dissolution of municipality.**

(a) Any municipality heretofore incorporated or which shall hereafter be incorporated ~~and which has no substantial indebtedness, and~~ which shall fail for one year to exercise its corporate powers and privileges, or which has not 20 qualified

voters, or in which there were not 20 legal votes cast at its last election, or the population of which shall be reduced below 100 persons and so remain for six consecutive months, shall in either event have its charter or certificate of incorporation and all rights, powers and privileges so conferred upon such municipality forfeited and declared dissolved.

(b) The county ~~court~~ commission of the county wherein any such municipality or the major portion of the territory thereof is located shall have jurisdiction to hear and determine all matters relating to the forfeiture and dissolution of such charter or certificate of incorporation, upon the petition of one or more of its ~~inhabitants~~ qualified voters, or the State Auditor, and to dissolve such municipal corporation. Ten days' notice of the filing of such petition with the clerk of the county ~~court~~ commission of such county, served upon the mayor and recorder, or on the last mayor or recorder thereof, shall be sufficient notice upon which such county ~~court~~ commission shall so act, and upon the proper proof of the allegations of such petition, any such charter or certificate of incorporation shall be declared forfeited and the municipal corporation dissolved and all debts of such municipality shall be ordered paid and the forfeiture and dissolution shall ~~not~~ become effective ~~until~~ when such debts have been paid or when the State Auditor has fully exercised the actions authorized by §8-35-4 of said code. ~~Upon such forfeiture and dissolution all interest of such municipality in corporate funds, if any, in excess of the amounts required to pay corporate debts shall be and the same is hereby transferred to and vested in the State of West Virginia, to be controlled by the State Auditor. If the territory so incorporated, or a major part thereof, either in area or in population, shall, however, within one year next after such declaration of forfeiture and dissolution by the county court be reincorporated under this chapter, then the Auditor of the State of West Virginia shall convey unto such new municipality all of the rights of the State of West Virginia in and to the corporate property, moneys, claims, demands and taxes collected or uncollected, of the former municipal corporation so dissolved.~~

(c) A petition for forfeiture shall be filed with the clerk of the county commission. The petition shall be in writing and set forth the reasons for the request to forfeit and dissolve the municipality. The petition for dissolution shall be served upon the mayor and recorder, or on the last mayor or recorder thereof.

(d) The State Auditor shall promptly conduct an examination under the authority granted under §6-9-1 et seq. of this code, to determine the financial condition of the municipality.

PART II. VOLUNTARY DISSOLUTION OF
~~CLASS III CITY OR CLASS IV~~
~~TOWN OR VILLAGE~~ MUNICIPALITIES.

§8-35-2. Voluntary dissolution of ~~Class III city or Class IV town or village~~ municipal corporation.

(a) A petition for dissolution shall be filed with the governing body of the municipality. The petition shall be in writing, set forth the reasons for the request to dissolve the municipality, and be signed by not less than 25 percent of the qualified voters of the municipality as shown by the last preceding statewide general election. The petition for dissolution shall be served upon the mayor and recorder, or on the last mayor or recorder thereof.

(b) Upon the filing of a qualified petition for dissolution of twenty-five or more percent of the legal voters of any Class III city or Class IV town or village municipal corporation, the governing body thereof shall submit to the qualified voters of such municipal corporation at the next regular municipal election, or at a special municipal election called for that purpose, the question of continuing or dissolving such municipal corporation. It shall be the responsibility of the governing body to verify the total number of eligible petitioners and to determine whether the required percentage of petitioners has been obtained. The governing body shall provide written notice of the election to the State Auditor within five days of determining an election date. The ballots, or ballot labels where voting machines are used, shall have written or printed on them the words:

~~/For Continuance of Municipal Corporation~~

~~/For Dissolution of Municipal Corporation~~

Shall the municipality of _____ (name of municipality subject to dissolution) be dissolved?

() Yes.

() No.

(c) The dissolution election shall be conducted in accordance with applicable election laws.

(d) If a majority of the legal votes cast be for dissolution, then such municipal corporation shall by operation of law be dissolved upon termination of the term of the governing body then in office: *Provided*, That all debts or other obligations outstanding against such municipal corporation shall be settled in full at the expiration of six (6) months from the date of the election on the question. The State Auditor shall promptly conduct an examination under the authority granted under §6-9-1 *et seq.* of this code, to determine the financial condition of the municipality. If a majority of the legal votes cast be for continuance, then such municipal corporation shall continue in existence unless and until dissolved at some later date under the provisions of this section or section one of this article 8-35-1 of this code. or this section two.: *Provided, however*, That another election under the provisions of this section two shall not be held within two years of the last such election. Any election under the provisions of this section two shall be held, conducted and superintended and the result thereof ascertained, certified, returned and canvassed in the same manner and by the same persons as an election for municipal officers of such municipal corporation.

PART III. INVOLUNTARY DISSOLUTION OF MUNICIPAL CORPORATION.

§8-35-3. Involuntary dissolution of municipal corporation.

(a) The Prosecuting Attorney for the county where such municipality or the majority portion of the territory thereof is located, or the State Auditor, may petition for involuntary

dissolution of a municipality when the government of a municipality ceases to function by reason of the following:

(1) General municipal elections have not been called in the municipality for two successive general municipal elections; and

(2) A majority of all the members of the governing body fail to qualify for two successive general municipal elections.

(b) The petition requesting involuntary dissolution shall be filed in the circuit court in the county in which such municipality or the majority portion of the territory thereof is located. The petition shall state the facts which justify the request and shall set forth a detailed statement of the assets and liabilities of the municipality insofar as they can be ascertained. The petition shall state the facts which justify the request insofar as they can be ascertained.

(c) Upon the filing of a petition for the involuntary dissolution of a municipality, the circuit court shall fix a date for a hearing on the request and written notice shall be provided to the State Auditor, and the Prosecuting Attorney for the county where such municipality or the majority portion of the territory thereof is located, within five days. The date of the hearing shall be not less than 30 days after the date of filing. The petitioner shall give at least 20 days' notice of the hearing by publication as a Class II legal advertisement in compliance with the provision of §59-3-1 *et seq.* of this code, and the publication area for such publication shall be in a newspaper of general circulation in the municipality, and by posting copies of the notice in a manner consistent with court proceedings. The notice shall state the purpose of the petition and the date and place of the hearing.

(d) The State Auditor shall promptly conduct an examination under the authority granted under §6-9-1 *et seq.* of this code, to determine the financial condition of the municipality.

(e) Any person owning property in or registered to vote in the municipality may appear at the hearing and give testimony for or against dissolution of the municipality. If the court finds that the

government of the municipality has ceased to function because of the reasons listed in subsection (a), it shall enter an order for dissolution of the municipality. The order of the circuit court shall state when the dissolution shall take effect and appoint the State Auditor to act as special receiver to wind up the affairs of the municipality and dispose of its property.

(f) The order of dissolution shall be filed with the clerk of the county commission and the office of the Secretary of State.

PART IV. DISPOSITION OF PROPERTY,
DEBTS AND LIABILITIES.

§8-35-4. State Auditor as special receiver.

(a) Upon declaration of the forfeiture of the charter or certificate of incorporation, or the certification of the election for voluntary dissolution, or upon an order by the circuit court for involuntary dissolution, as set forth in this article, the State Auditor shall by operation of law, act as special receiver for the dissolved municipality.

(b) The State Auditor, acting as special receiver of the dissolved municipality, shall have the power and authority to:

(1) Take legal control of assets, including municipal corporate property, moneys, claims, demands and taxes collected or uncollected;

(2) Protect assets;

(3) File claims on behalf of the dissolved municipality in receivership;

(4) Initiate necessary and proper bankruptcy proceedings, including, but not limited to filing a petition in the name of the municipal corporation under Chapter 9 of Title 11 of the United States Code, and to act on the municipality's behalf in such proceeding, to distribute assets to claimants or creditors, and;

(5) Any such actions as the State Auditor may deem necessary and appropriate to wind up the affairs of the municipality.

(6) Any excess of amounts required to pay corporate debts shall be maintained in a special fund titled "municipal dissolution account" to be controlled by the State Auditor to offset the costs associated with conducting examinations and legal expenses pursuant to the provisions of this article.

(7) Further powers and duties of the State Auditor acting as a special receiver shall be set out in rules authorized pursuant to the provisions of this article. These shall include, but are not limited to:

(A) The manner in which the State Auditor acting as a special receiver may gain access to and control over bank account and public funds;

(B) The manner in which the State Auditor acting as a special commissioner signs or records deeds, releases, or contracts;

(C) The manner in which the State Auditor acting as a special commissioner transfers or receives title to real or personal property;

(D) The manner in which the State Auditor acting as a special commissioner executes legally binding documents on behalf of a dissolved local government.

§8-35-5. Disposition of property belonging to dissolved municipal corporation.

(a) No dissolution of an incorporated municipality shall impair the rights of any person in any contract or agreement to which the municipality is a party.

(b) The deposits and investments belonging to the dissolved municipality shall be used first to pay the municipality's debts and liabilities.

(c) In the event that deposits and investments belonging to the municipality are not sufficient to satisfy its debts and liabilities, then the State Auditor may initiate the liquidation of the dissolved municipality's property pursuant to §8-35-3 of this code.

§8-35-6. Sale and liquidation of dissolved municipal assets.

(a) If the State Auditor, as special receiver, makes a determination that a dissolved municipality's real and/or personal property must be liquidated to satisfy its debts and liabilities then a public auction may be conducted. The property shall be sold either at an on-site public auction or by utilizing an Internet-based public auction service, or at a suitable location within the county wherein the dissolved municipality was principally located and such shall be conducted by the State Auditor. Before making such sale, notice of the time, terms, manner and either the location of the sale or the Internet-based public auction service to be utilized, together with a brief description of the property to be sold, shall be published as a Class II legal advertisement in compliance with the provision of §59-3-1 *et seq.* of this code, and the publication area for such publication shall be the county.

(b) The provisions of subsection (a) of this section concerning sale at public auction shall not apply to the State Auditor selling or disposing of the property for public use to:

(1) The United States of America its instrumentalities, agencies or political subdivisions;

(2) The State of West Virginia, or its political subdivisions, including county boards of education, volunteer fire departments, and volunteer ambulance services; or

(3) Any authority, commission, instrumentality, or agency established by act of the State of West Virginia.

(c) For all sales made pursuant to this section, the State Auditor is not required to exclusively consider the present commercial or market value of the property.

(d) No officer or employee of the State Auditor or the Prosecuting Attorney for the county where such municipality or the majority portion of the territory thereof is located, or his or her immediate family, may purchase or acquire any property municipal assets disposed of pursuant to this section.;

And,

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

Eng. House Bill 3517—A Bill to amend and reenact §8-35-1 and §8-35-2 of the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §6-9D-1, §6-9D-2, §6-9D-3, §6-9D-4, §6-9D-5, §6-9D-6, §6-9D-7, §6-9D-8, §6-9D-9, §6-9D-10, §6-9D-11, §6-9D-12, §6-9D-13, and §6-9D-14; and to amend said code by adding thereto by adding four new sections, designated §8-35-3, §8-35-4, §8-35-5 and §8-35-6, all relating generally to fiscal watch or fiscal emergencies of local governments; setting out findings; defining terms; setting out auditable conditions of local governments; providing details of initiation of a fiscal watch review; providing guidelines for identifying potential for declarations of a fiscal watch or fiscal emergency; providing for rulemaking; providing conditions constituting grounds for a fiscal watch; relating to the declaration of the existence of a fiscal watch; providing for a financial recovery plan; relating to determining the existence of a fiscal emergency; providing conditions constituting grounds for a fiscal emergency; establishing a process for appeal of a decision of the State Auditor that a fiscal emergency exists; relating to the establishment of a financial planning and supervision committee and further rulemaking authority of the State Auditor; relating to what constitutes compliance of this article by a local government; relating to a prohibition against relief under federal bankruptcy laws unless otherwise authorized; providing a severability clause; modernizing the process for the dissolution and forfeiture of certain municipalities; ; modernizing the process for the voluntary dissolution of municipal corporations; establishing the process for the involuntary dissolution of municipal corporations; establishing that the State Auditor shall serve as a special receiver upon

declaration of the forfeiture of the charter or certificate of incorporation, or the certification of the election for voluntary dissolution, or upon an order by the Circuit Court for involuntary dissolution of a municipality; establishing and relating to the disposition of property belonging to a dissolved municipal corporation; establishing the process for sale and liquidation of a dissolved municipality's assets.

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

Engrossed House Bill 3517, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3517) passed with its House of Delegates amended title.

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

On motion of Senator Martin, at 8:13 p.m., the Senate recessed for 10 minutes.

The Senate reconvened at 8:53 p.m. and, at the request of Senator Fuller, unanimous consent being granted, returned to the second order of business and the introduction of guests.

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

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

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

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

ARTICLE 2. CRIMES AGAINST THE PERSON.

§61-2-15a. Assault, battery on athletic officials or participants; penalties.

(a) If any person, other than an athletic official or participant, commits an assault as defined in ~~subsection (b), section nine of this article §61-2-9(b) of this code~~, to the person of an athletic official or participant during the time the official is acting as an athletic official or participant, the offender is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$250, nor more than \$500, ~~or and~~ confined in jail not less than five days nor more than six months, ~~or both fined and confined~~.

(b) If any person, other than an athletic official or participant, commits a battery, as defined in ~~subsection (c), section nine of this article §61-2-9(c) of this code~~, against an athletic official or participant during the time the official is acting as an athletic official or participant, the offender is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$500, nor more than \$1,000, ~~or and~~ confined in jail not less than 10 days nor more than twelve months, or both fined and confined.

(c) For the purpose of this section, "athletic official or participant " means a player on a sports team, person at a sports event who enforces the rules of that event, ~~such as including, but not limited to,~~ an umpire or referee, or a person who supervises the participants, ~~such as including, but not limited to,~~ a coach, assistant coach, or any other official team members during the course of a game or related event.

(d)(1) In addition to the criminal penalties set forth in this section, a county board of education or a governing board for a state institution of higher education may provide written notification to any person convicted of an offense under subsection (a) or subsection (b) of this section that he or she is banned from all state school sports events or school-sponsored sports events as a result of the conviction for a minimum of 365 days.

(2) Any person receiving the written notification set forth in subdivision (1) of this subsection who refuses to leave the premises of any state school sports event or school-sponsored sports event upon request shall be subject to prosecution pursuant to the provisions of §61-3B-1 et seq. of this code.

(e) Nothing in this section shall be construed as creating immunities from criminal liability for the commission of any other criminal act or acts in violation of any provision of this code.;

And,

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 531—A Bill to amend and reenact §61-2-15a of the Code of West Virginia, 1931, as amended, relating to crimes against athletic officials; clarifying that victims include participants; establishing minimum jail penalties; establishing minimum fines; creating definitions; authorizing a person convicted of the offenses to be banned from certain sports events; requiring written notice to the person banned; establishing that a violation of the ban is a form of trespass; clarifying that the offense does not apply to athletic officials or

participants; clarifying that the section does not create certain immunities for other offenses; and creating criminal penalties.

On motion of Senator Martin, the following amendments to the House of Delegates amendments to the bill (Eng. Com. Sub. for Com. Sub. for S. B. 531) were reported by the Clerk, considered simultaneously, and adopted:

On pages 1 and 2, by striking out all of subsections (a), (b), and (c), and inserting in lieu of new subsections (a), (b) and (c), to read as follows:

(a) Definitions -

(1) For the purpose of this section, "athletic official" means a person at a sports event, or traveling to or from a sporting event, who enforces the rules of that event, including, but not limited to, an umpire or referee, or a person who supervises the participants, including, but not limited to, a coach, assistant coach, or any other athletic staff.

(2) For the purpose of this section, "participant" means a player on a sports team or any other team members during the course of a game or related sporting event.

~~(a)~~ (b) If any person commits an assault as defined in subsection ~~(b)~~, ~~section nine of this article §61-2-9(b) of this code,~~ to the person of an athletic official or participant, the offender is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$250, nor more than \$500,~~or~~ and confined in jail not less than five days nor more than six months,~~or both fined and confined.~~

~~(b)~~ (c) If any person commits a battery, as defined in ~~subsection (c), section nine of this article §61-2-9(c) of this code,~~ against an athletic official or participant, the offender is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$500, nor more than \$1,000,~~or~~ and confined in jail not less than 10 days nor more than twelve months. ~~or both fined and confined.~~

~~(e) For the purpose of this section, "athletic official" means a person at a sports event who enforces the rules of that event, such as an umpire or referee, or a person who supervises the participants, such as a coach.~~

On page 2, subsection (d)(1), line 3, by striking out (a) after "under subsection" and inserting in (b), and

On page 2, subsection (d)(1), line 3, striking out (b) after "or subsection" and inserting in (c).

On page 2, by striking out all of subsection (e);

And,

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 531—A Bill to amend and reenact §61-2-15a of the Code of West Virginia, 1931, as amended, relating to crimes against athletic officials; clarifying that victims include participants; creating definitions; establishing minimum criminal penalties; establishing minimum fines; authorizing county boards of education and governing boards for a state institution for higher education to give written notice banning any person convicted of an offense under this section from certain sports events; requiring written notice to the person banned; and establishing that a violation of the ban is a form of trespass.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 531, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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)—32.

The nays were: None.

Absent: Boley and Chapman—2.

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 Com. Sub. for S. B. 531) passed with its Senate amended title.

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

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 102, Modifying form of certain deeds.

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

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

On page 1, section 1, line 1, by striking out the remainder of the Bill and inserting in lieu thereof:

ARTICLE 1. AUTHENTICATION AND RECORD OF WRITINGS.

§39-1-2. Conditions under which county clerk shall admit deeds, contacts, etc., to record.

(a) The clerk of the county ~~court~~ commission of any county in which any deed, contract, power of attorney, or other writing is to be, or may be, recorded, shall admit the same to record in ~~his~~ the

clerk's office, as to any person whose name is signed thereto, when it shall have been acknowledged by ~~him~~ such person or proved by two witnesses as to ~~him~~ such person before such clerk of the county ~~court~~ commission.

(b) ~~But notwithstanding~~ Notwithstanding the requirements of subsection (a) of this section:

(1) ~~such~~ The clerk shall not admit to record any contract, deed, deed of trust, mortgage or other instrument that secures the payment of any debt, unless such contract, deed, deed of trust, mortgage, or other instrument sets forth therein who, at the time of the execution and delivery thereof, is the beneficial owner of the debt secured thereby, and where he resides: ~~Provided, however,~~ That ~~Provided, however,~~ that in the case of a mortgage or a deed of trust securing an issue of negotiable notes or bonds exceeding five in number and payable to bearer, it shall not be necessary that the mortgage or deed of trust show who are the beneficial owners of such notes or bonds, but in such case such mortgage or deed of trust shall show the name and address of the person or corporation with or by whom the notes or bonds have been, or are to be, first negotiated.

(2) The clerk shall not admit to record any quitclaim deed without consideration or any deed effecting the transfer of real property where the value of the property transferred is \$100 or less for which no excise tax on the privilege of transferring real property on such instrument is paid under §11-22-1 et seq. of this code unless the instrument has been signed by the grantee thereon and acknowledged by the grantee or proved by two witnesses as to the grantee before such clerk of the county commission. ~~Provided, however,~~ the clerk shall admit to record any transfer on death deed made pursuant to §39-12-1 et seq. of this code, and transfers between husband and wife, transfers between parent and child, transfers between parent and child and his or her spouse, transfers between grandparent and grandchild, or transfers between grandparent and grandchild and his or her spouse, which are without consideration or for consideration of less than \$2,000, that have not been signed by the grantee thereon. Any deed recorded in

violation of this section is void and no interest transfers to grantee under such recorded deed.;

And,

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

Eng. Com. Sub. for Senate Bill 102—A Bill to amend and reenact §39-1-2 of the Code of West Virginia, 1931, as amended, relating to modifying the form of deeds; and requiring that any quitclaim deed without consideration or any deed effecting the transfer of real property where the value of the property transferred is \$100 or less for which no excise tax is paid is signed by the grantee or proved by two witnesses as to the grantee before a clerk of the county commission, with certain exceptions for transfers on death and between family members.

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

Engrossed Committee Substitute for Senate Bill 102, 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, 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)—33.

The nays were: None.

Absent: Boley—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. 102) 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 Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, to take effect July 1, 2025, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 3111, To provide pay increases to members of the judiciary.

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

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

On page 1, section 10a, line 7, by striking "2025" and inserting in lieu thereof "2026";

On page 1, section 10a, line 8, by striking "2026" and inserting in lieu thereof "2027";

On page 2, section 13, line 9, by striking "2025" and inserting in lieu thereof "2026";

On page 2, section 13, line 10, by striking "2026" and inserting in lieu thereof "2027";

On page 2, section 6, line 6, by striking "2025" and inserting in lieu thereof "2026";

On page 2, section 6, line 7, by striking "2026" and inserting in lieu thereof "2027";

On page 4, following line 47, by striking the remainder of the bill in its entirety and inserting in lieu thereof the following:

ARTICLE 9. RETIREMENT SYSTEM FOR JUDGES OF COURTS OF RECORD.

§51-9-4. Required percentage contributions from salaries; any termination of required contributions prior to actual retirement disallowed; leased employees; military service credit; maximum allowable and qualified military service; qualifiable prosecutorial service.

(a) Every person who is now serving or shall hereafter serve as a judge of any court of record of this state shall pay into the Judges' Retirement Fund six percent of the salary received by such person out of the State Treasury: *Provided*, That when a judge becomes eligible to receive benefits from such trust fund by actual retirement, no further payment by him or her shall be required, since such employee contribution, in an equal treatment sense, ceases to be required in the other retirement systems of the state, also, only after actual retirement: *Provided, however*, That on and after January 1, 1995, every person who is then serving or shall thereafter serve as a judge of any court of record in this state shall pay into the Judges' Retirement Fund nine percent of the salary received by that person: *Provided further*, That consistent with the salary increase granted to judges of courts of record during the 2005 regular legislative session and to changes effectuated in judicial retirement by provisions enacted during the third extraordinary legislative session of 2005, on and after July 1, 2005, every person who is then serving or shall thereafter serve as a judge of any court of record in this state shall pay into the Judges' Retirement Fund ten and one-half percent of the salary received by that person: *And provided further*, That on and after July 1, 2013, except as provided in ~~subsection~~ subsections (b) and (c) of this section, every person who is then serving or shall thereafter serve as a judge of any court of record in this state and who elects to participate in this retirement system shall pay into the Judges' Retirement Fund seven percent of the salary received. Any prior occurrence or practice to the contrary, in any way allowing discontinuance of required employee contributions prior to actual retirement under this retirement system, is rejected as erroneous and contrary to legislative intent and as violative of required equal treatment and is hereby nullified and discontinued fully, with the State Auditor to require such contribution in every instance

hereafter, except where no contributions are required to be made under any of the provisions of this article.

(b) On and after July 1, 2014, every person who is serving or shall hereafter serve as a judge of any court of record of this state and who elects to participate in this retirement system shall contribute to the fund an amount determined by the board. This amount will be based on the annual actuarial valuation prepared by the State Actuary: *Provided*, That the contribution will be no less than seven percent or no more than ten and one-half percent of the participant's annual compensation.

(c) On and after July 1, 2025, every person who is serving or shall hereafter serve as a judge of any court of record of this state and who elects to participate in this retirement system shall contribute to the Judges' Retirement Fund seven percent of the salary received.

(d) On or after July 1, 2013, and each year thereafter, the Board shall provide the annual actuarial valuation prepared by the State Actuary for determination of all participants' contributions and the annual actuarially required contribution prepared by the State Actuary for use by the courts of this state for legislative appropriation shall be provided to the Legislature's Joint Committee on Government and Finance and the Joint Committee on Pensions and Retirement: *Provided*, That in any year that the State Actuary determines that the funding level of the Judges' Retirement Fund exceeds 125%, the Board shall provide the annual actuarial valuation prepared by the State Actuary and a statement of the current funding level of the fund to the Legislature's Joint Committee on Government and Finance and the Joint Committee on Pensions and Retirement. Notwithstanding any provision of this code to the contrary, neither the court nor the Legislature shall be required to make a contribution to the fund when the funding level exceeds 125%. For purposes of this subsection, the funding level is determined by dividing the assets of the fund by the sum of the assets of the fund and the unfunded accrued liability of the fund.

~~(d)~~ (e) An individual who is a leased employee shall not be eligible to participate in the system. For purposes of this system, a

"leased employee" means any individual who performs services as an independent contractor or pursuant to an agreement with an employee leasing organization or other similar organization. If a question arises regarding the status of an individual as a leased employee, the board has the final power to decide the question.

(e) (f) In drawing warrants for the salary checks of judges, the State Auditor shall deduct from the amount of each such salary check six percent thereof, which amount so deducted shall be credited by the Consolidated Public Retirement Board to the trust fund: *Provided*, That on or after January 1, 1995, the amount so deducted and credited shall be nine percent of each such salary check: *Provided, however*, That consistent with the salary increase granted to judges of courts of record during the 2005 regular legislative session and to changes effectuated in judicial retirement by provisions enacted during the third extraordinary legislative session of 2005, on or after July 1, 2005, the amount so deducted and credited shall be ~~ten~~ 10 and one-half percent of each such salary check: *Provided further*, That on and after July 1, 2013, except as provided in subsection (b) of this section, the amount so deducted and credited shall be seven percent of each salary check: *And provided further*, That on and after July 1, 2014, the amount so deducted and credited will be determined by the board; *And provided further*, That on and after July 1, 2025, the amount so deducted and credited shall be seven percent of each salary check.

(f) (g) Any judge seeking to qualify military service to be claimed as credited service, in allowable aggregate maximum amount up to five years, shall be entitled to be awarded the same without any required payment in respect thereof to the Judges' Retirement Fund.

(g) (h) Notwithstanding the preceding provisions of this section, contributions, benefits, and service credit with respect to qualified military service shall be provided in accordance with Section 414(u) of the Internal Revenue Code. For purposes of this section, "qualified military service" has the same meaning as in Section 414(u) of the Internal Revenue Code. The Retirement Board is authorized to determine all questions and make all decisions relating to this section and may promulgate rules relating

to contributions, benefits and service credit pursuant to the authority granted to the retirement board in ~~section one, article ten-d, chapter five~~ §5-10D-1 of this code to comply with Section 414(u) of the Internal Revenue Code.

~~(h)~~ (i) Any judge holding office as such on the effective date of the amendments to this article adopted by the Legislature at its 1987 regular session who seeks to qualify service as a prosecuting attorney as credited service, which service credit must have been earned prior to the year 1987, shall be required to pay into the Judges' Retirement Fund nine percent of the annual salary which was actually received by such person as prosecuting attorney during the time such prosecutorial service was rendered prior to the year 1987 and for which credited service is being sought, together with applicable interest. No judge whose term of office shall commence after the effective date of such amendments to this article shall be eligible to claim any credit for service rendered as a prosecuting attorney as eligible service for retirement benefits under this article, nor shall any time served as a prosecutor after the year 1988 be considered as eligible service for any purposes of this article.

ARTICLE 11. THE WEST VIRGINIA APPELLATE REORGANIZATION ACT.

§51-11-11. Judicial compensation and benefits; expenses.

(a) The annual salary of a Judge of the Intermediate Court of Appeals is \$142,500-: Provided, That beginning July 1, 2026, the annual salary of a Judge of the Intermediate Court of Appeals shall be \$147,500: And provided further, That beginning July 1, 2027 the annual salary of a Judge of the Intermediate Court of Appeals shall be \$152,500. The budget for the payment of compensation and expenses of Intermediate Court of Appeals judges shall be included in the appropriation for the Supreme Court of Appeals.

(b) Judges of the Intermediate Court of Appeals and staff shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties under the guidelines prescribed by the Administrative Director of the Supreme Court of Appeals.;

And,

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

Eng. Com. Sub. for House Bill 3111—A Bill to amend and reenact §51-1-10a, §51-2-13, §51-2A-6, §51-9-4, and §51-11-11 of the Code of West Virginia, 1931, as amended, relating to salaries and retirement benefits of judges; increasing annual salary of justices of the Supreme Court of Appeals, circuit court judges, family court judges, and judges of the Intermediate Court of Appeals; providing for employee contribution into judicial retirement system; and suspending contribution of employer into judicial retirement system until certain condition met.

Senator Martin moved that the Senate concur in the House of Delegates amendments to the Senate amendments to the bill.

Following discussion,

The question being on the adoption of Senator Martin's aforesated motion, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 3111, as amended, was then put upon its passage.

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

The nays were: Tarr—1.

Absent: Boley—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 H. B. 3111) passed with its House of Delegates amended title.

Senator Martin moved that the bill take effect July 1, 2025.

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

The nays were: Tarr—1.

Absent: Boley—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3111) takes effect July 1, 2025.

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 Com. Sub. for Senate Bill 154,
Prohibiting sexual orientation instruction in public schools.

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, after the enacting clause by striking out the remainder of the bill and inserting, in lieu thereof, the following:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-29. Prohibiting instruction related to sexual orientation and gender identity and providing false information

regarding student's gender identity or intention to transition; requiring certain student requests to be reported to parent.

(a) For the purposes of this section:

(1) "Biological sex" means the sex listed on a student's official birth certificate or certificate issued upon adoption if the certificate was issued at or near the time of the student's birth;

(2) "Custodian" means a person who has some allocation of physical custody of the child or who has provided to the school written permission of a parent to have access to the notices and information contemplated by this section;

(3) "Gender identity" means a category of social identity and refers to an individual's identification as male, female, or occasionally, some category other than male or female;

(4) "Guardian" means a person other than a parent or custodian who, pursuant to a court order, acts in loco parentis for the child;

(5) "Parent" means a parent who has some allocation of physical custody of the child or who has some share of joint decision-making authority for the child;

(6) "Sexual orientation" means an individual's actual or perceived orientation as heterosexual, homosexual, or bisexual; and

(7) "Transition to a gender" means the process in which a person goes from identifying with and living as a gender that corresponds to the person's biological sex to identifying with and living as a gender different from the person's biological sex and may involve social, legal, or physical changes.

(b) A public school may not provide instruction related to sexual orientation or gender identity: *Provided*, That the provisions of this subsection do not prohibit:

(1) A teacher responding to student questions during class regarding sexual orientation or gender identity as it relates to any topic of instruction;

(2) Referring to the sexual orientation or gender identity of any historic person, group, or public figure when such information provides necessary context in relation to any topic of instruction;

(3) Referring to sexual orientation and gender identity if necessary to address a disciplinary matter, such as an instance of bullying; or

(4) Referring to sexual orientation and gender identity as part of curriculum established in a dual enrollment or advanced placement course.

(c) A public school and the county board employees assigned to the school may not knowingly give false or misleading information to the parent, custodian, or guardian of a student regarding the student's gender identity or intention to transition to a gender that is different than the student's biological sex.

(d) If a student enrolled in a public school requests from a person employed by the public school an accommodation that is intended to affirm a change in the student's gender identity that is different from a student's biological sex, including a request that the student be addressed using a name or pronoun that is different than the name or pronoun assigned to the student in the public school's registration forms or records for the purpose of affirming a change in the student's gender identity that is different than the student's biological sex, the public school employee shall report the student's request to an administrator employed by the county board and assigned to the school, and the administrator shall report the student's request to the student's parent, custodian, or guardian.

(e) A parent, custodian, or guardian who is impacted, or whose child is impacted, by a violation of this section may file a complaint pursuant to West Virginia Board of Education Policy 7211 (§126-188-1).

(f) School personnel found in violation of this section may be subject to discipline or dismissal pursuant to §18A-2-8 of this code.

(g) The West Virginia Board of Education, in consultation with the Higher Education Policy Commission, shall promulgate rules pursuant to §29A-3B-1 et seq. of this code to implement this section.

(h) The Attorney General may bring an action to enforce compliance with this section.

(i) If a provision of this section or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the section that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.;

And,

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 154—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-29, relating to prohibiting instruction related to sexual orientation and gender identity; setting forth definitions; creating exceptions to prohibition against instruction; prohibiting a public school and the county board employees assigned to the school from knowingly giving false or misleading information to the parent, custodian, or guardian of a student regarding the student's gender identity or intention to transition to a gender that is different than the student's biological sex; requiring a public school employee to report a student's request for an accommodation that is intended to affirm the student's gender identity from a person employed by the public school to an administrator employed by the county board and assigned to the school; requiring the administrator to report the student's request to the student's parent, custodian, or guardian; providing that a complaint may be filed in pursuant to state board rule for violations of these provisions, providing that school

personnel found in violation of this section may be subjected to discipline or dismissal pursuant statute; providing that the state board, in consultation with the Higher Education Policy Commission, shall promulgate rules to implement section; allowing the Attorney General to enforce compliance; and providing that the provisions of this act are severable.

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

Engrossed Committee Substitute for Committee Substitute for Senate Bill 154, 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, 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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia—1.

Absent: Boley—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 Com. Sub. for S. B. 154) 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 Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 2695, Raleigh and Mason Counties Economic Opportunity Development Districts.

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

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

On page 3, section 9, line 50, by striking "2057" and inserting in lieu thereof "2053";

And, on page 3, section 9, line 52, by striking "2057" and inserting in lieu thereof "2053";

And,

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

Eng. Com. Sub. for House Bill 2695—A Bill to amend and reenact §7-22-9 of the code of West Virginia, 1931, as amended, relating to county economic opportunity development districts; authorizing Raleigh County to levy a special district excise tax for the benefit of the Raleigh County Economic Opportunity Development District; authorizing Mason County to levy a special district excise tax for the benefit of the Town of Henderson Economic Opportunity District; and requiring Mason County and Raleigh County to comply with requirements to hold a public hearing, submit a certain application, and receive approval as required by law; and requiring jurisdictions authorized to levy special excise tax to file a detailed annual report.

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

Engrossed Committee Substitute for House Bill 2695, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Morris, Oliverio, Phillips, Queen, Roberts, Takubo, Tarr, Thorne, Weld, Willis, and Woodrum—21.

The nays were: Azinger, Chapman, Charnock, Hart, Martin, Maynard, Rose, Rucker, Stuart, Taylor, Woelfel, and Smith (Mr. President)—12.

Absent: Boley—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 H. B. 2695) passed with its House of Delegates amended title.

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

On motion of Senator Martin, at 9:12 p.m., the Senate recessed until 9:30 p.m. tonight.

The Senate reconvened at 10:29 p.m. and, at the request of Senator Maynard, unanimous consent being granted, proceeded to the thirteenth order of business for the purpose of introducing and commending Senate staff.

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

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 Concurrent Resolution 26 (originating in the Committee on the Judiciary)—Requesting the Joint Committee on Government and Finance study the issue smoke shops pose in relation to the products they sell and the health risk items sold by smoke shops both legal and illegal, the sale of legal and illegal tobacco and nicotine products to minors within the state of West

Virginia and the sale and regulation of tobacco, nicotine, CBD, kratom and cannabis.

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

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the resolution (S. C. R. 26) contained in the foregoing report from the Committee on the Judiciary was then referred to the Committee on Rules.

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 Concurrent Resolution 27 (originating in the Committee on the Judiciary)—Requesting the Joint Committee on Government and Finance study the issues surrounding the sale of alcohol and liquor, specifically evaluating the regulatory framework while simultaneously addressing efficiency and ways to modernize liquor and alcohol regulation in the state of West Virginia.

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

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the resolution (S. C. R. 27) contained in the foregoing report from the Committee on the Judiciary was then referred to the Committee on Rules.

At the request of Senator Martin, unanimous consent being granted, the provisions of Senate Rule 14 and Joint Rule 31 were suspended in order to consider the following House concurrent resolutions naming transportation infrastructure after the fifty-fifth day.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Com. Sub. for House Concurrent Resolution 5, William "Bill" Harrison Lowther Memorial Bridge.

Com. Sub. for House Concurrent Resolution 7, U.S. Army Pfc John Wesley Meadows Memorial Bridge.

Com. Sub. for House Concurrent Resolution 13, Corporal James E. Jackley Memorial Bridge.

Com. Sub. for House Concurrent Resolution 18, Paul J. Hofe Memorial Bridge.

Com. Sub. for House Concurrent Resolution 24, Postlethwait Brothers Memorial Bridge.

Com. Sub. for House Concurrent Resolution 26, Jimmy M. Hutchison Memorial Bridge.

Com. Sub. for House Concurrent Resolution 28, Frank Lee Maddy Memorial Road.

Com. Sub. for House Concurrent Resolution 29, Sheriff Jeremy Taylor Memorial Road.

Com. Sub. for House Concurrent Resolution 32, U. S. Army PVT Leon 'Deacon' Stover Memorial Bridge.

Com. Sub. for House Concurrent Resolution 36, US. Marine Corps PFC Darrel Lee Burgess Memorial Bridge.

Com. Sub. for House Concurrent Resolution 45, Charlotte Denise Seymour Hill Memorial Bridge.

Com. Sub. for House Concurrent Resolution 50, Alfred E. Garrison Memorial Bridge.

Com. Sub. for House Concurrent Resolution 56, Tom Bill Dudley Memorial Bridge.

Com. Sub. for House Concurrent Resolution 76, PFC Charles Henry Moore Memorial Bridge.

Com. Sub. for House Concurrent Resolution 86, U. S. Army PFC Robert F. Mann Memorial Bridge.

And,

Com. Sub. for House Concurrent Resolution 89, U. S. Army SP4 Kermit Harold Yoho Memorial Bridge.

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

Respectfully submitted,

Mark R. Maynard,
Chair.

At the request of Senator Martin, unanimous consent being granted, the resolutions (Com. Subs. for H. C. R. 5, 7, 13, 18, 24, 26, 28, 29, 32, 36, 45, 50, 56, 76, 86, and 89) contained in the preceding report from the Committee on Transportation and Infrastructure were taken up for immediate consideration and considered simultaneously.

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

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

Without objection, the Senate returned to the third order of business.

A message from the Clerk of the House of Delegates announced the adoption by that body of the committee of conference report, passage as amended by the conference report, to take effect from passage, and requested the concurrence of the Senate in the adoption thereof, as to

Eng. Com. Sub. for House Bill 2267, Authorizing Department of Revenue to Promulgate Legislative Rules.

Whereupon, Senator Barrett, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for House Bill 2267, Authorizing Department of Revenue to Promulgate Legislative Rules.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendments of the Senate to Engrossed Committee Substitute for House Bill 2267 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses that the Senate and the House agree as follows:

On page 2, section 1, after line 3, by adding the following:

On page 13, paragraph 2.30.9, after the words "(iv) canned or packaged food valued at least" by deleting "\$100" and inserting in lieu thereof "\$50".

And,

On page 24, by striking out all of paragraph 3.2.1.a., and inserting in lieu thereof a new paragraph 3.2.1.a. to read as follows:

3.2.1.a. That is located on any college campus, state university campus, or branch thereof, unless it is located in an on-campus structure listed on the National Register of Historic Places located within a designated National Historic Landmark District or such

private club type is located upon the premises of a National Collegiate Athletic Association, or its successor, approved Division I, II, or III sports stadium used for revenue generating sports by a college or university on its campus and no classes are held at the sports stadium or at a private college sports stadium.

And,

On page 34, subparagraph 3.4.7.c by striking out "2.22.5" and inserting in lieu thereof "2.25.5".

And,

On page 37, subsection 3.4.12.e, line six, following the words "commissioner's requirements" and the period, by inserting a new sentence to read as follows: "Furthermore, where a municipality has authorized sidewalk dining areas by ordinance, a qualified permit holder has obtained a sidewalk dining permit from the municipality and the Commissioner, and additionally the municipality has authorized by ordinance that a qualified permit holder in the PODA may provide for the lawful sale, service, and tendering of alcohol (such alcohol as authorized for sale by the licensee's license) from an approved sidewalk dining area in approved PODA cups to patrons, and the qualified permit holder has added the sidewalk dining area or areas as a part of its WVABCA floorplan comprising its licensed premises, then such qualified permit holder may conduct such lawful sales, service, and tendering of alcohol (such alcohol as authorized for sale by the licensee's license) from the sidewalk dining area or areas without the dining requirement for such to-go alcoholic beverage sales."

And.

On page 39, paragraph 4.2.3, after the word "A" by inserting the word "valid".

And,

On page 39, paragraph 4.2.3 by deleting the word "card".

And,

On page 39, paragraph 4.2.4, after the word "A" by inserting the word "valid".

And,

On page 39, paragraph 4.5.5 by striking out the word "The" and inserting in lieu thereof the words "In each public restroom the".

And,

On page 48, subparagraph 5.1.1.h by striking out the words "in a position where the primary responsibility for such employment is to sell, furnish, tender, serve, or give nonintoxicating beer, wine, or alcoholic liquors to any person;" and inserting in lieu thereof the words "in any capacity that includes, even incidentally, the selling, furnishing, tendering, serving, or giving of nonintoxicating beer, wine, or alcoholic liquors to any person;".

Respectfully submitted,

Michael Hornby, *Chair*, Doug Smith, Rick Garcia, *Conferees on the part of the House of Delegates*.

Jason Barrett, *Chair*, Patricia Puertas Rucker (*did not sign*), Joey Garcia, *Conferees on the part of the Senate*.

At the request of Senator Barrett, unanimous consent being granted, the report of the committee of conference was taken up for immediate consideration and adopted.

Engrossed Committee Substitute for House Bill 2267, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Barrett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Hamilton, Helton, Jeffries, Maynard, Morris, Oliverio, Phillips, Queen, Rucker, Stuart, Takubo, Tarr, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—25.

The nays were: Azinger, Bartlett, Grady, Hart, Martin, Roberts, Rose, and Taylor—8.

Absent: Boley—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 H. B. 2267) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2267) takes effect from passage.

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 adoption by that body of the committee of conference report, passage as amended by the conference report with its conference amended title, and requested the concurrence of the Senate in the adoption thereof, as to

Eng. Com. Sub. for House Bill 2880, Relating to parent resource navigators.

Whereupon, Senator Rucker, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for House Bill 2880, Relating to parent resource navigators.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendments of the House to Engrossed Committee Substitute for House Bill 2880 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

CHAPTER 49. CHILD WELFARE.

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§49-1-201. Definitions related, but not limited to, child abuse and neglect.

When used in this chapter, terms defined in this section have the meanings ascribed to them that relate to, but are not limited to, child abuse and neglect, except in those instances where a different meaning is provided or the context in which the word is used clearly indicates that a different meaning is intended.

"Abandonment" means any conduct that demonstrates the settled purpose to forego the duties and parental responsibilities to the child;

"Abused child" means:

(1) A child whose health or welfare is being harmed or threatened by:

(A) A parent, guardian, or custodian who knowingly or intentionally inflicts, attempts to inflict, or knowingly allows another person to inflict, physical injury or mental or emotional injury upon the child or another child in the home. Physical injury may include an injury to the child as a result of excessive corporal punishment;

(B) Sexual abuse or sexual exploitation;

(C) The sale or attempted sale of a child by a parent, guardian, or custodian in violation of §61-2-14h of this code;

(D) Domestic violence as defined in §48-27-202 of this code;
or

(E) Human trafficking or attempted human trafficking in violation of §61-14-2 of this code.

(2) A child conceived as a result of sexual assault, as that term is defined in this section, or as a result of the violation of a criminal law of another jurisdiction which has the same essential elements: *Provided*, That no victim of sexual assault may be determined to be an abusive parent as that term is defined in this section, based upon being a victim of sexual assault.

"Abusing parent" means a parent, guardian, or other custodian, regardless of his or her age, whose conduct has been adjudicated by the court to constitute child abuse or neglect as alleged in the petition charging child abuse or neglect.

"Battered parent" for the purposes of §49-4-601 *et seq.* of this code means a respondent parent, guardian, or other custodian who has been adjudicated by the court to have not condoned the abuse or neglect and has not been able to stop the abuse or neglect of the child or children due to being the victim of domestic violence as defined by §48-27-202 of this code, which was perpetrated by the same person or persons determined to have abused or neglected the child or children.

"Child abuse and neglect" or "child abuse or neglect" means any act or omission that creates an abused child or a neglected child as those terms are defined in this section.

"Child abuse and neglect services" means social services which are directed toward:

(A) Protecting and promoting the welfare of children who are abused or neglected;

(B) Identifying, preventing, and remedying conditions which cause child abuse and neglect;

(C) Preventing the unnecessary removal of children from their families by identifying family problems and assisting families in resolving problems which could lead to a removal of children and a breakup of the family;

(D) In cases where children have been removed from their families, providing time-limited reunification services to the children and the families so as to reunify those children with their families, or some portion of the families;

(E) Placing children in suitable adoptive homes when reunifying the children with their families, or some portion of the families, is not possible or appropriate; and

(F) Assuring the adequate care of children or juveniles who have been placed in the custody of the department or third parties.

"Condition requiring emergency medical treatment" means a condition which, if left untreated for a period of a few hours, may result in permanent physical damage; that condition includes, but is not limited to, profuse or arterial bleeding, dislocation or fracture, unconsciousness, and evidence of ingestion of significant amounts of a poisonous substance.

"Imminent danger to the physical well-being of the child" means an emergency situation in which the welfare or the life of the child is threatened. These conditions may include an emergency situation when there is reasonable cause to believe that any child in the home is or has been sexually abused or sexually exploited, or reasonable cause to believe that the following conditions threaten the health, life, or safety of any child in the home:

(A) Nonaccidental trauma inflicted by a parent, guardian, custodian, sibling, babysitter, or other caretaker;

(B) A combination of physical and other signs indicating a pattern of abuse which may be medically diagnosed as battered child syndrome;

(C) Nutritional deprivation;

(D) Abandonment by the parent, guardian, or custodian;

(E) Inadequate treatment of serious illness or disease;

(F) Substantial emotional injury inflicted by a parent, guardian, or custodian;

(G) Sale or attempted sale of the child by the parent, guardian, or custodian;

(H) The parent, guardian, or custodian's abuse of alcohol or drugs or other controlled substance as defined in §60A-1-101 of this code, has impaired his or her parenting skills to a degree as to pose an imminent risk to a child's health or safety; or

(I) Any other condition that threatens the health, life or safety of any child in the home.

"Neglected child" means a child:

(A) Whose physical or mental health is harmed or threatened by a present refusal, failure or inability of the child's parent, guardian, or custodian to supply the child with necessary food, clothing, shelter, supervision, medical care, or education, when that refusal, failure, or inability is not due primarily to a lack of financial means on the part of the parent, guardian, or custodian;

(B) Who is presently without necessary food, clothing, shelter, medical care, education, or supervision because of the disappearance or absence of the child's parent or custodian; or

(C) "Neglected child" does not mean a child whose education is conducted within the provisions of §18-8-1 *et seq.* of this code.

"Parent Resource Navigator" means an individual established through the Court Improvement Program (CIP) or Public Defender Services (PDS) model who is assisting a parent or parents through requirements to be unified or reunified with their child or children.

"Petitioner or copetitioner" means the department or any reputable person who files a child abuse or neglect petition pursuant to §49-4-601 *et seq.* of this code.

"Permanency plan" means the part of the case plan which is designed to achieve a permanent home for the child in the least restrictive setting available.

"Respondent" means all parents, guardians, and custodians identified in the child abuse and neglect petition who are not petitioners or copetitioners.

"Sexual abuse" means:

(A) Sexual intercourse, sexual intrusion, sexual contact, or conduct proscribed by §61-8c-3 of this code, which a parent, guardian, or custodian engages in, attempts to engage in, or knowingly procures another person to engage in, with a child notwithstanding the fact that for a child who is less than 16 years of age, the child may have willingly participated in that conduct or the child may have suffered no apparent physical, mental, or emotional injury as a result of that conduct or, for a child 16 years of age or older, the child may have consented to that conduct or the child may have suffered no apparent physical injury or mental, or emotional injury as a result of that conduct;

(B) Any conduct where a parent, guardian, or custodian displays his or her sex organs to a child, or procures another person to display his or her sex organs to a child, for the purpose of gratifying the sexual desire of the parent, guardian, or custodian, of the person making that display, or of the child, or for the purpose of affronting or alarming the child; or

(C) Any of the offenses proscribed in §61-8b-7, §61-8b-8, or §61-8b-9 of this code.

"Sexual assault" means any of the offenses proscribed in §61-8b-3, §61-8b-4, or §61-8b-5 of this code.

"Sexual contact" means sexual contact as that term is defined in §61-8b-1 of this code.

"Sexual exploitation" means an act where:

(A) A parent, custodian, or guardian, whether for financial gain or not, persuades, induces, entices, or coerces a child to engage in sexually explicit conduct as that term is defined in §61-8c-1 of this code;

(B) A parent, guardian, or custodian persuades, induces, entices, or coerces a child to display his or her sex organs for the sexual gratification of the parent, guardian, custodian, or a third person, or to display his or her sex organs under circumstances in which the parent, guardian, or custodian knows that the display is likely to be observed by others who would be affronted or alarmed; or

(C) A parent, guardian, or custodian knowingly maintains or makes available a child for the purpose of engaging the child in commercial sexual activity in violation of §61-14-5 of this code.

"Sexual intercourse" means sexual intercourse as that term is defined in §61-8b-1 of this code.

"Sexual intrusion" means sexual intrusion as that term is defined in §61-8b-1 of this code.

"Serious physical abuse" means bodily injury which creates a substantial risk of death, causes serious or prolonged disfigurement, prolonged impairment of health, or prolonged loss or impairment of the function of any bodily organ.

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-802a. Information to be provided at the outset of a child protective services investigation.

(a) Notwithstanding any other provision to the contrary, immediately upon initiating an investigation of a parent or other person having legal custody of a child, the department shall, upon first contact with the individual, provide the individual with a copy of A Parent's Guide to Working with Child Protective Services (Guide).

(b) The Guide shall include a short and plain statement to include, but not be limited to, the following:

(1) Steps that the department will take to investigate signs of abuse and neglect;

(2) Steps that may need to be taken to make a safer or healthier home for the child;

(3) An overview of the court process;

(4) The confidentiality of maltreatment reports and case appeals;

(5) Child visitation; and

(6) Case appeals.

§49-2-809. Reporting procedures.

~~(a) Reports of child abuse and neglect pursuant to this article shall be made immediately to the department of child protective services by a method established by the Bureau for Social Services: *Provided*, That if the method for reporting is web-based, the Bureau for Social Services shall maintain a system for addressing emergency situations that require immediate attention and shall be followed by a written report within 48 hours if so requested by the receiving agency. The Bureau for Social Services shall establish and maintain a 24-hour, seven-day-a-week telephone number to receive calls reporting suspected or known child abuse or neglect.~~ Reports of child abuse and neglect pursuant to this article shall be made immediately to the Bureau for Social Services. Reports of child abuse and neglect shall be made to the Bureau of Social Services via a 24-hour, seven-day-a-week hotline (centralized intake) that shall be maintained by the Bureau of Social Services to receive calls reporting suspected or known child abuse or neglect or such reports may be made via web-based reporting (email, electronic fax, fillable form, or other electronic form) that sends the reports to a live person to handle the reports immediately. Both systems shall give the reporter a specific case identifier immediately upon making a report.

(b) If a report of child abuse and neglect is made in any fashion other than specified in subsection (a) of this section, then Bureau of Social Services is still required to act upon such report as if the report were made to centralized intake.

~~(b) The department shall have a redundancy for its system in the event of an outage to receive reports. This redundancy system shall be transparent, meaning that it shall allow for reporting in the same means as if the outage had not occurred and no time delay shall occur from when the outage occurs to when the redundancy system begins to operate. This redundancy system shall be operational no later than July 1, 2023. If the department contends that it currently has a redundancy system, it shall describe the system, provide an operational date for the system, and explain why calls to centralized intake were unanswered to the Joint Committee on Government and Finance by July 1, 2023.~~

(c) A copy of any report of serious physical abuse, sexual abuse, or assault shall be forwarded by the department to the appropriate law-enforcement agency, the prosecuting attorney, or the coroner or medical examiner's office. All reports under this article are confidential. Reports of known or suspected institutional child abuse or neglect shall be made and received as all other reports made pursuant to this article.

(d) The department shall annually submit a report in an electronic format, via the legislative webpage, on July 1 to the Joint Committee on Government and Finance, which shall contain: How many calls were made to centralized intake on a per county basis, how many calls were referred to centralized intake on a per county basis, how many calls were screened out centralized intake on a per county basis, and the time from referral to investigation on a per county basis.

(e) All reports made to centralized intake by email, fax, fillable form, or other electronic form from a reporter, shall be retained in the Comprehensive Child Welfare Information System in its original format for at least 12 months.

(f) Audio files recorded from reports made to centralized intake shall be retained in the Comprehensive Child Welfare Information System for at least 12 months.

(g) Any such person receiving a report pursuant to subsection (b) of this section shall make a written record in the Comprehensive Child Welfare Information system detailing the report and retain that record in an appropriate format for a period of at least 12 months.

ARTICLE 4. COURT ACTIONS.

§49-4-405. Multidisciplinary treatment planning process involving child abuse and neglect; team membership; duties; reports; admissions.

(a) Within 30 days of the initiation of a judicial proceeding pursuant to part six of this article, the department shall convene a multidisciplinary treatment team to assess, plan, and implement a comprehensive, individualized service plan for children who are victims of abuse or neglect and their families. The multidisciplinary team shall obtain and utilize any assessments for the children or the adult respondents that it deems necessary to assist in the development of that plan.

(b) In a case initiated pursuant to part six of this article, the treatment team consists of:

- (1) The child or family's case manager in the department;
- (2) The adult respondent or respondents;
- (3) The child's parent or parents, guardians, any copetitioners, custodial relatives of the child, foster or preadoptive parents;
- (4) Any attorney representing an adult respondent or other member of the treatment team;
- (5) The child's counsel or the guardian ad litem;
- (6) The prosecuting attorney or his or her designee;

(7) A member of a child advocacy center when the child has been processed through the child advocacy center program or programs or it is otherwise appropriate that a member of the child advocacy center participate;

(8) Any court-appointed special advocate assigned to a case;

(9) Any other person entitled to notice and the right to be heard;

(10) An appropriate school official;

(11) A parent resource navigator;

~~(11)~~ (12) The managed care case coordinator; and

~~(12)~~ (13) Any other person or agency representative who may assist in providing recommendations for the particular needs of the child and family, including domestic violence service providers.

The child may participate in multidisciplinary treatment team meetings if the child's participation is deemed appropriate by the multidisciplinary treatment team. Unless otherwise ordered by the court, a party whose parental rights have been terminated and his or her attorney may not be given notice of a multidisciplinary treatment team meeting and ~~does~~ do not have the right to participate in any treatment team meeting.

(c) Prior to disposition in each case in which a treatment planning team has been convened, the team shall advise the court as to the types of services the team has determined are needed and the type of placement, if any, which will best serve the needs of the child. If the team determines that an out-of-home placement will best serve the needs of the child, the team shall first consider placement with appropriate relatives then with foster care homes, facilities, or programs located within the state. The team may only recommend placement in an out-of-state facility if it concludes, after considering the best interests and overall needs of the child, that there are no available and suitable in-state facilities which can satisfactorily meet the specific needs of the child.

(d) The multidisciplinary treatment team shall submit written reports to the court as required by the rules governing this type of proceeding or by the court and shall meet as often as deemed necessary but at least every three months until the case is dismissed from the docket of the court. The multidisciplinary treatment team shall be available for status conferences and hearings as required by the court.

(e) If a respondent or copetitioner admits the underlying allegations of child abuse or neglect, or both abuse and neglect, in the multidisciplinary treatment planning process, his or her statements may not be used in any subsequent criminal proceeding against him or her, except for perjury or false swearing.

ARTICLE 5. RECORD KEEPING AND DATABASE.

§49-5-101. Confidentiality of records; non-release of records; exceptions; penalties.

(a) Except as otherwise provided in this chapter or by order of the court, all records and information concerning a child or juvenile which are maintained by the Division of Corrections and Rehabilitation, the Department of Human Services, a child agency or facility, or court or law-enforcement agency, are confidential and may not be released or disclosed to anyone, including any federal or state agency.

(b) Notwithstanding the provisions of subsection (a) of this section or any other provision of this code to the contrary, records concerning a child or juvenile, except adoption records and records disclosing the identity of a person making a complaint of child abuse or neglect, may be made available:

(1) Where otherwise authorized by this chapter;

(2) To:

(A) The child;

(B) A parent whose parental rights have not been terminated;

(C) The attorney of the child or parent; and

(D) The Juvenile Justice Commission and its' designees acting in the course of their official duties;

(3) With the written consent of the child or of someone authorized to act on the child's behalf; and

(4) Pursuant to an order of a court of record: *Provided*, That the court shall review the record or records for relevancy and materiality to the issues in the proceeding and safety and may issue an order to limit the examination and use of the records or any part thereof.

(c) In addition to those persons or entities to whom information may be disclosed under subsection (b) of this section, information related to child abuse or neglect proceedings, except information relating to the identity of the person reporting or making a complaint of child abuse or neglect, shall be made available upon request to:

(1) Federal, state, or local government entities, or any agent of those entities, including law-enforcement agencies and prosecuting attorneys, having a need for that information in order to carry out its responsibilities under law to protect children from abuse and neglect;

(2) The child fatality review team;

(3) Child abuse citizen review panels;

(4) Multidisciplinary investigative and treatment teams; or

(5) A grand jury, circuit court, or family court, upon a finding that information in the records is necessary for the determination of an issue before the grand jury, circuit court, or family court; and

(6) The West Virginia Crime Victims Compensation Fund and its designees acting in the course of their official duties.

(d) Information related to proceedings involving child abuse or neglect, or both, shall be made available, upon request, to the

Foster Care Ombudsman, or his or her designee, with the exception of information related to the identity of the person making a referral or suspected abuse or neglect. Only in cases involving near fatalities or fatalities of a child in the foster care system, shall the information related to the identity of the person who reported the suspected abuse or neglect be made available to the Foster Care Ombudsman: *Provided*, That such request is made in the course of their official duties pursuant to §16B-16-1 *et seq.* of this code.

~~(d)~~ (e) If there is a child fatality or near fatality due to child abuse and neglect, information relating to a fatality or near fatality shall be made public by the Department of Human Services and provided to the entities described in subsection (c) of this section and to the Critical Incident Review Team as established in §61-12B-1 *et seq.* of this code: ~~all under the circumstances described in that subsection:~~ *Provided*, That information released by the Department of Human Services pursuant to this subsection may not include the identity of a person reporting or making a complaint of child abuse or neglect except when such information and records are released to the Foster Care Ombudsman or his or her designee acting in the course of their official duties related to a near fatality or fatality of a child with in the foster care system. Only in those circumstances shall the Department of Human Services include the identity of a person reporting or making a complaint of child abuse or neglect may be included: *Provided, however*, That the Foster Care Ombudsman or his or her designee is acting in the course of their official duties pursuant to §16B-16-1 *et seq.* of this code. For purposes of this subsection, "near fatality" means any medical condition of the child which is certified by the attending physician to be life-threatening.

~~(e)~~ (f) Except in juvenile proceedings which are transferred to criminal proceedings, law-enforcement records and files concerning a child or juvenile shall be kept separate from the records and files of adults and not included within the court files. Law-enforcement records and files concerning a child or juvenile shall only be open to inspection pursuant to §49-5-103 of this code.

~~(f)~~ (g) Any person who willfully violates the provisions of this section is guilty of a misdemeanor and, upon conviction thereof,

shall be fined not more than \$1,000, or confined in jail for not more than six months, or both fined and confined. A person convicted of violating this section is also liable for damages in the amount of \$300, or actual damages, whichever is greater.

~~(g)~~ (h) Notwithstanding the provisions of this section, or any other provision of this code to the contrary, the name and identity of any juvenile adjudicated or convicted of a violent or felonious crime shall be made available to the public;

~~(h)~~ (i)(1) Notwithstanding the provisions of this section or any other provision of this code to the contrary, the Division of Corrections and Rehabilitation may provide access to, and the confidential use of, a treatment plan, court records, or other records of a juvenile to an agency in another state which:

(A) Performs the same functions in that state that are performed by the Division of Corrections and Rehabilitation in this state;

(B) Has a reciprocal agreement with this state; and

(C) Has legal custody of the juvenile.

(2) A record which is shared under this subsection may only provide information which is relevant to the supervision, care, custody, and treatment of the juvenile;

(3) The Division of Corrections and Rehabilitation may enter into reciprocal agreements with other states and propose rules for legislative approval in accordance with §29A-3-1 *et seq.* of this code to implement this subsection; and

(4) Other than the authorization explicitly given in this subsection, this subsection may not be construed to enlarge or restrict access to juvenile records as provided elsewhere in this code.

~~(i)~~ (j) The records subject to disclosure pursuant to subsection (b) of this section may not include a recorded/videotaped interview,

as defined in §62-6B-2(6) of this code, the disclosure of which is exclusively subject to §62-6B-6 of this code.

(j) ~~(k)~~ Notwithstanding the provisions of subsection (a) of this section, records in the possession of the Division of Corrections and Rehabilitation declared to be confidential by the provisions of subsection (a) of this section may be published and disclosed for use in an employee grievance if the disclosure is done in compliance with subsections ~~(k), (l), and (m)~~ (l), (m), and (n) of this section.

~~(k)~~ (l) Records or information declared confidential by the provisions of this section may not be released for use in a grievance proceeding except:

(1) Upon written motion of a party; and

(2) Upon an order of the Public Employee's Grievance Board entered after an in-camera hearing as to the relevance of the record or information.

~~(l)~~ (m) If production of confidential records or information is disclosed to a grievant, his or her counsel or representative, pursuant to subsection ~~(k)~~ (l) of this section:

(1) The division shall ensure that written records or information is redacted of all identifying information of any juvenile which is not relevant to the resolution of the grievance;

(2) Relevant video and audio records may be disclosed without redaction; and

(3) Records or other information released to a grievant or his or her counsel or representative pursuant to subsection ~~(k)~~ (l) of this section may only be used for purposes of his or her grievance proceeding and may not be disclosed, published, copied, or distributed for any other purpose, and upon the conclusion of the grievance procedure, returned to the Division of Corrections and Rehabilitation.

~~(m)~~ (n) If a grievant or the Division of Corrections and Rehabilitation seek judicial review of a decision of the Public Employee's Grievance Board, the relevant confidential records disclosed and used in the grievance proceeding may be used in the appeal proceeding upon entry of an order by the circuit court, and the order shall contain a provision limiting disclosure or publication of the records or information to purposes necessary to the proceeding and prohibiting unauthorized use and reproduction.

~~(n)~~ (o) Nothing in this section may be construed to abrogate the provisions of §29B-1-1 *et seq.* of this code.

~~(o)~~ (p) When requested, A a child placing-agency or a residential childcare and treatment facility may shall disclose otherwise confidential information to other child-placing agencies or residential childcare and treatment facilities when making referrals or providing services on behalf of the child. This information shall be maintained in the same manner as provided in this code.

~~(p)~~ (q) The department shall provide electronic access to information required to perform an adoption to child-placing agencies as necessary to complete the adoption.

~~(q)~~ (r) A child-placing agency completing adoption as a contractor on behalf of the department shall have access to secure records from vital statistics and other pertinent record holders.

(s) The Bureau for Social Services shall provide to the managed care organization, the child-placing agency, and the person having temporary custody of the child, the medical records of the child that are necessary for the care of treatment of the child.

ARTICLE 11. SYSTEM REPORTING.

§49-11-101. Systemic reporting transparency; ~~rulemaking.~~

(a) The commissioner shall change update the existing child welfare data dashboard by July 1, 2023, July 1, 2026, and shall update the child welfare data dashboard monthly thereafter to report on system-wide issues including, but not limited to, system-

level performance indicators, intake hotline performance indicators, field investigation performance indicators, open case performance indicators, out-of-home placement performance indicators, and federally mandated performance indicators including, but not limited to, time to first contact to all children, information on children in non-placement or temporary lodging status.

(b) The Commissioner shall update the existing child welfare data dashboard with information on child fatality and near fatality information related to those cases subject to review by the Critical Incident Review Team as set forth in §61-12B-1 et seq. of this code within 48 hours of a child fatality or near fatality. With respect to child fatality or near fatality information, the Department of Human Services shall report the following variables: the date of the incident, the child's sex, and the child's age. The data dashboard shall provide a link to the final report of the Critical Incident Review Team within 24 hours of its completion. The Commissioner shall send a notification, within 24 hours of child fatalities or near fatalities, to the Secretary of Human Services to enable it to convene a meeting of the Critical Incident Review Team.

(c) The child welfare data dashboard shall include workforce information including, but not limited to, the number of child protective services staff that have been hired but who have not completed training, the number and vacancies of adoption workers, and the number and vacancies of home finders.

(d) Starting July 1, 2026, the data reported on the child welfare data dashboard shall be represented as a point in time number and trended over time. Beginning July 1, 2026, the data shall be saved in a way to allow public users to search the dashboard yearly by reporting date, and by county. The Department of Human Services may apply data suppression in order to protect individual identification as necessary.

CHAPTER 61. CRIMES AND THEIR PUNISHMENT.

ARTICLE 12B. CRITICAL INCIDENT REVIEW TEAM.**§61-12B-1. Purpose.**

The Critical Incident Review Team is created under the Department of Human Services for the purpose of reviewing fatalities and near fatalities involving children involved in the child welfare system and making recommendations to identify effective prevention and intervention processes to decrease preventable child fatalities and near fatalities in the child welfare system.

§61-12B-2. Definitions.

As used in this article:

"Epidemiological analysis" means an analysis of demographic factors related to the child's fatality or near fatality including, but not limited to, an analysis of the following factors: the date of birth of the child; the sex of the child; the county of the child's residence; the race/ethnicity of the child; the date the child suffered the fatality or near fatality; the type of maltreatment; the cause of the fatality or near fatality; whether the agency had any contact, and if so, how many times, with the child or a member of the child's family or household before the fatality or near fatality; and maltreater demographic information.

"Known case" means any Child Protective Services case or youth services case in the Comprehensive Child Welfare Information System or a case assessed by Child Protective Services, youth services, or a contracted vendor;

"Near fatality" means any medical condition of the child which is certified by the attending physician to be life threatening. It shall also include incidents that have been found to have created a substantial risk of death or serious bodily injury to the child.

§61-12B-3. Creation of the Critical Incident Review Team and composition of members.

(a) The Critical Incident Review Team is created under the Office of the Inspector General and is a multidisciplinary team

created to oversee and coordinate the examination, review, and assessment of:

(1) The fatality or near fatality of a child in the custody of the Department of Human Services;

(2) The fatality or near fatality of a child who has a known case with the Department of Human Services or who is the immediate family member or a member of a household of a person with a known case with the Department of Human Services; and

(3) The fatality or near fatality of a child whose identity has been brought to the attention of the Department of Human Services through a centralized intake report, regardless of whether the report was accepted for an investigation.

(b) The Critical Incident Review Team shall consist of the following members:

(1) The Commissioner of the Bureau for Social Services, or his or her designee, who is to serve as the chairperson, and is responsible for calling and coordinating meetings of the Critical Incident Review Team;

(2) The Director of the Division of Planning and Quality Improvement;

(3) The Deputy Commissioner of the Bureau for Social Services;

(4) A representative from the Office of Field Support, Programs and Resource Development, Planning and Research, or the Office of Field Operations;

(5) The social services manager for any district having a history with the child or his or her family or any household member that is the subject of the critical incident review;

(6) The Foster Care Ombudsman, or his or her designee;

(7) A representative of the West Virginia Supreme Court of Appeals, Division of Children Services;

(8) A representative from the Prosecuting Attorney's Institute;

(9) The Superintendent of the West Virginia State Police or his or her designee;

(10) A member of the West Virginia Senate, appointed by the President of the Senate, who shall serve as an ex officio member; and

(11) A member of the West Virginia House of Delegates, appointed by the Speaker of the House, who shall serve as an ex officio member.

(c) Each member shall serve without additional compensation and may not be reimbursed for any expenses incurred in the discharge of his or her duties under the provisions of this article.

(d) The Critical Incident Review Team may seek guidance and opinion regarding any matter under review from outside experts in any related field. At any such time, the Critical Incident Review Team shall require that all appropriate privacy requirements required in this article are in place.

§61-12B-4. Responsibilities of the Critical Incident Review Team.

(a) The Critical Incident Review Team shall:

(1) The team shall meet at least quarterly: *Provided*, That in the event of a fatality or near fatality, the team shall meet within 45 days of such fatality or near fatality to conduct the review required by this article;

(2) Review and analyze all fatalities and near fatalities as required by this article;

(3) Ascertain and document the trends, patterns, and risk factors associated with the fatalities and near fatalities evaluated;

(4) Provide statistical information and an epidemiological analysis regarding the causes of fatalities and near fatalities as specified in this article;

(5) Establish standard procedures for the handling of the critical incident review;

(6) Establish processes and protocols for the review and analysis of fatalities and near fatalities of those who were not suffering from mortal diseases shortly before fatality;

(7) Establish processes and protocols to ensure confidentiality of records obtained by the Critical Incident Review Team; and

(8) Seek additional expert guidance as necessary to complete a review of any fatality or near fatality evaluated.

(b) The team is prohibited from the following:

(1) Contacting a witness or witnesses to take testimony from individuals involved in the investigation of a fatality; or

(2) Otherwise take any action which impedes an ongoing law enforcement investigation.

§61-12B-5. Reporting of the Critical Incident Review Team.

(a)(1) The Critical Incident Review Team shall submit an initial report within 75 days of the fatality or near fatality to the Legislative Oversight Commission on Health and Human Resources Accountability with updated reports every 90 days.

(2) Any initial reports submitted mid-year and any other updated reports to be made shall be compiled into a final report to be submitted to the Legislative Oversight Commission on Health and Human Resources Accountability which shall be submitted no later than December 1 each year.

(b) The report is to include statistical information and an epidemiological analysis concerning cases reviewed during the year, trends and patterns concerning these cases, and the team's recommendations to reduce the number of fatalities and near fatalities that occur in this state.

(c) The Critical Incident Review Team may provide reporting to child residential facilities to inform their internal peer review

activities. Such information shall be deemed confidential and shall be used only for peer review purposes.

§61-12B-6. Access to information; other agencies of government required to cooperate.

(a) Notwithstanding any other provision of this code to the contrary, the Critical Incident Review Team may request information and records as necessary to carry out its responsibilities. Records and information that may be requested under this section include:

(1) Medical, dental, and mental health records;

(2) Substance abuse records to the extent allowed by federal law; and

(3) Information and records maintained by any state, federal, or local government agency.

(b) State, county, and local government agencies shall provide the Critical Incident Review Team with any information requested in writing by the team.

§61-12B-7. Confidentiality.

(a) Proceedings and records of the Critical Incident Review Team established pursuant to this article are confidential and are not subject to discovery, subpoena, or the introduction into evidence in any civil or criminal proceeding. This section does not limit or restrict the right to discover or use in any civil or criminal proceeding anything that is available from another source and entirely independent of the proceedings of the team.

(b) Members of the Critical Incident Review Team may not be questioned in any civil or criminal proceeding regarding information presented or opinions formed as a result of a meeting of the team. This subsection does not prevent a member of a team from testifying to information obtained independently of the team which is public information.

(c) Proceedings and records of the Critical Incident Review Team established by the team are exempt from disclosure under the Freedom of Information Act as provided in §29B-1-1 et seq. of this code.

(d) Notwithstanding any other provision to the contrary, the Critical Incident Review Team shall prepare a compilation of data to be shared, on an annual basis or more often as requested or needed, with the Centers for Disease Control and Prevention to study child fatalities or near fatalities.

(e) Information shall be maintained by the Critical Incident Review Team in a confidential manner compliant with the Health Insurance Portability and Accountability Act of 1996.

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Eng. Com. Sub. for House Bill 2880—A Bill to amend and reenact §49-1-201, §49-2-809, §49-4-405, §49-5-101, and §49-11-101 of the Code of West Virginia, 1931, as amended; to amend the code by adding a new article, designated, to amend the code by adding a new section, designated §49-2-802a; and to amend the code by adding a new article, designated, §61-12B-1, §61-12B-2, §61-12B-3, §61-12B-4, §61-12B-5, §61-12B-6, and §61-12B-7, relating to child welfare; defining terms; requiring information to be provided at outset of investigation; stating form of centralized intake reporting procedures; including parent resource navigators within multidisciplinary teams; permitting the foster care ombudsman to access information related to child abuse and neglect proceedings; requiring the Bureau for Social Services to provide access medical records; requiring updates to the child welfare dashboard; establishing the Critical Incident Review Team; setting forth composition of members; setting forth the responsibilities of the Critical Incident Review Team; setting forth the reporting requirements of the Critical Incident review team; requiring cooperation with Critical Incident Team; and setting forth confidentiality of information.

Respectfully submitted,

Adam Burkhammer, *Chair*, Jonathan Pinson, Mike Pushkin,
Conferees on the part of the House of Delegates.

Patricia Puertas Rucker, *Chair*, Christopher A. Rose, Michael
A. Woelfel, *Conferees on the part of the Senate.*

Senator Rucker, Senate cochair of the committee of
conference, was recognized to explain the report.

Thereafter, at the request of Senator Rucker, unanimous
consent being granted, the report was taken up for immediate
consideration and adopted.

Engrossed Committee Substitute for House Bill 2880, as
amended by the conference report, was then put upon its passage.

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

The nays were: Helton—1.

Absent: Boley—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 H. B. 2880) passed with its conference amended title.

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

At the request of Senator Weld, and by unanimous consent, the
Senate proceeded to the consideration of

Eng. Com. Sub. for House Bill 3164, Requiring registered sex
offenders pay annual fee.

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

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—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 H. B. 3164) passed with its title.

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

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 474, Ending diversity, equity, and inclusion programs.

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

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

On page 10, section 2, line 29, following the words "sexual harassment" by striking out the period and inserting the following: "or to meet accreditation standards.";

on page 3, section 3, following the period on line 12, by inserting the following:

(b) Nothing in this article may be construed to abrogate individuals' rights and causes of action under the West Virginia Human Rights Act.;

And,

On page 7, section 29, following the period on line 20, by inserting the following:

(d) Nothing in this article may be construed to abrogate individuals' rights and causes of action under the West Virginia Human Rights Act.

Senator Grady moved that the Senate concur in the House of Delegates amendments to the bill.

Thereafter, Senator Grady withdrew the aforesated motion to concur in the House of Delegates amendments to the bill.

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 35, Permitting campus police officers to participate in Deputy Sheriffs Retirement System.

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, following the enacting clause, by striking all of section two in its entirety, and inserting in lieu thereof the following:

CHAPTER 8. MUNICIPAL CORPORATIONS.

ARTICLE 22A. WEST VIRGINIA MUNICIPAL POLICE OFFICERS AND FIREFIGHTERS RETIREMENT SYSTEM.

§8-22A-2. Definitions.

As used in this article, unless a federal law or regulation or the context clearly requires a different meaning:

(a) "Accrued benefit" means on behalf of any member 2.75 percent per year of the member's final average salary for the first 20 years of credited service. Additionally, 2 percent per year for 21 through 25 years and 1.5 percent per year for each year over 25 years will be credited with a maximum benefit of 90 percent of a member's final average salary. A member's accrued benefit may not exceed the limits of Section 415 of the Internal Revenue Code and is subject to the provisions of §8-22A-10 of this code.

(b) "Accumulated contributions" means the sum of all retirement contributions deducted from the compensation of a member or paid on his or her behalf as a result of covered employment, together with regular interest on the deducted amounts.

(c) "Active military duty" means full-time duty in the active military service of the United States Army, Navy, Air Force, Space Force, Coast Guard, or Marine Corps. The term does not include regularly required training or other duty performed by a member of a reserve component or National Guard unless the member can substantiate that he or she was called into the full-time active military service of the United States and has received no compensation during the period of that duty from any board or employer other than the armed forces.

(d) "Actuarial equivalent" means a benefit of equal value computed on the basis of the mortality table and interest rates as set and adopted by the board in accordance with the provisions of this article: *Provided*, That when used in the context of compliance with the federal maximum benefit requirements of Section 415 of the Internal Revenue Code, "actuarial equivalent" shall be

computed using the mortality tables and interest rates required to comply with those requirements.

(e) "Annual compensation" means the wages paid to the member during covered employment within the meaning of Section 3401(a) of the Internal Revenue Code, but determined without regard to any rules that limit the remuneration included in wages based on the nature or location of employment or services performed during the plan year plus amounts excluded under Section 414(h)(2) of the Internal Revenue Code and less reimbursements or other expense allowances, cash or noncash fringe benefits, or both, deferred compensation and welfare benefits. Annual compensation for determining benefits during any determination period may not exceed the maximum compensation allowed as adjusted for cost-of-living in accordance with §5-10D-7 of this code and Section 401(a) (17) of the Internal Revenue Code.

(f) "Annual leave service" means accrued annual leave.

(g) "Annuity starting date" means the first day of the month for which an annuity is payable after submission of a retirement application or the required beginning date, if earlier. For purposes of this subsection, if retirement income payments commence after the normal retirement age, "retirement" means the first day of the month following or coincident with the latter of the last day the member worked in covered employment or the member's normal retirement age and after completing proper written application for retirement on an application supplied by the board.

(h) "Beneficiary" means a natural person who is entitled to, or will be entitled to, an annuity or other benefit payable by the plan.

(i) "Board" means the Consolidated Public Retirement Board.

(j) "Bona fide separation from service upon retirement" means that a retirant has completely terminated any employment relationship with any participating public employer in the plan for a period of at least 60 consecutive days from the effective date of retirement and without a prearranged agreement to return to

employment with a participating public employer. For purposes of this definition, an employment relationship includes employment in any capacity, whether on a permanent, full-time, part-time, substitute, per diem, temporary or leased employee basis.

(k) "Covered employment" means ~~either~~: (1) Employment as a full-time municipal police officer or firefighter and the active performance of the duties required of that employment; or (2) employment as a full-time campus police officer as described in §18B-4-5 of this code and the active performance of the duties required of that employment; or (3) the period of time during which active duties are not performed but disability benefits are received under this article; or ~~(3)~~ (4) concurrent employment by a municipal police officer or firefighter or a campus police officer in a job or jobs in addition to his or her employment as a municipal police officer or firefighter or a campus police officer in this plan where the secondary employment requires the police officer or firefighter to be a member of another retirement system which is administered by the Consolidated Public Retirement Board pursuant to this code: *Provided*, That the police officer or firefighter contributes to the fund created in this article the amount specified as the member's contribution in §8-22A-8 of this code.

~~(k)~~ (l) "Credited service" means the sum of a member's years of service, active military duty, and disability service.

~~(l)~~ (m) "Dependent child" means ~~either~~: (1) An unmarried person under age 18 who is: (A) A natural child of the member; (B) a legally adopted child of the member; (C) a child who at the time of the member's death was living with the member while the member was an adopting parent during any period of probation; or (D) a stepchild of the member residing in the member's household at the time of the member's death; or (2) Any unmarried child under age 23: (A) Who is enrolled as a full-time student in an accredited college or university; (B) who was claimed as a dependent by the member for federal income tax purposes at the time of the member's death; and (C) whose relationship with the member is described in paragraph (A), (B) or (C), subdivision (1) of this subsection.

~~(m)~~ (n) "Dependent parent" means the father or mother of the member who was claimed as a dependent by the member for federal income tax purposes at the time of the member's death.

~~(n)~~ (o) "Disability service" means service credit received by a member, expressed in whole years, fractions thereof, or both, equal to one half of the whole years, fractions thereof, or both, during which time a member receives disability benefits under this article.

~~(o)~~ (p) "Effective date" means January 1, 2010.

~~(p)~~ (q) "Employer error" means an omission, misrepresentation or deliberate act in violation of relevant provisions of the West Virginia Code or of the West Virginia Code of State Regulations or the relevant provisions of both the West Virginia Code and of the West Virginia Code of State Regulations by the participating public employer that has resulted in an underpayment or overpayment of contributions required.

~~(q)~~ (r) "Final average salary" means the average of the highest annual compensation received for covered employment by the member during any five consecutive plan years within the member's last 10 years of service while employed, prior to any disability payment. If the member did not have annual compensation for the five full plan years preceding the member's attainment of normal retirement age and during that period the member received disability benefits under this article, then "final average salary" means the average of the monthly compensation which the member was receiving in the plan year prior to the initial disability. "Final average salary" does not include any lump sum payment for unused, accrued leave of any kind or character.

~~(r)~~ (s) "Full-time employment" means permanent employment of an employee by a participating ~~municipality~~ public employer in a position which normally requires 12 months per year service and requires at least 1,040 hours per year service in that position.

~~(s)~~ (t) "Fund" means the West Virginia Municipal Police Officers and Firefighters Retirement Fund created by this article.

(†) (u) "Hour of service" means: (1) Each hour for which a member is paid or entitled to payment for covered employment during which time active duties are performed. These hours shall be credited to the member for the plan year in which the duties are performed; and (2) each hour for which a member is paid or entitled to payment for covered employment during a plan year but where no duties are performed due to vacation, holiday, illness, incapacity including disability, layoff, jury duty, military duty, leave of absence, or any combination thereof and without regard to whether the employment relationship has terminated. Hours under this subdivision shall be calculated and credited pursuant to West Virginia Division of Labor rules. A member may not be credited with any hours of service for any period of time he or she is receiving benefits under §8-22A-17 and §8-22A-18 of this code; and (3) each hour for which back pay is either awarded or agreed to be paid by the ~~employing municipality~~ participating public employer, irrespective of mitigation of damages. The same hours of service may not be credited both under subdivision (1) or (2) of this subsection and under this subdivision. Hours under this paragraph shall be credited to the member for the plan year or years to which the award or agreement pertains, rather than the plan year in which the award, agreement or payment is made.

(†) (v) "Medical examination" means an in-person or virtual examination of a member's physical or mental health, or both, by a physician or physicians selected or approved by the board; or, at the discretion of the board, a medical record review of the member's physical or mental health, or both, by a physician selected or approved by the board.

(†) (w) "Member" means, except as provided in §8-22A-32 ~~and §8-22A-33, or §8-22A-33a~~ of this code, a person hired as a municipal police officer or municipal firefighter, as defined in this section, by a participating ~~municipal~~ public employer on or after January 1, 2010, or a campus police officer as described in §18B-4-5 of this code who is hired after January 1, 2026, or who was hired before that date but elects to become a member as described in that section. A member shall remain a member until the benefits to which he or she is entitled under this article are paid or forfeited.

~~(w)~~ (x) "Monthly salary" means the W-2 reportable compensation received by a member during the month.

~~(x)~~ (y) "Municipality" has the meaning ascribed to it in this code.

~~(y)~~ (z) (1) "Municipal police officer" means an individual employed as a member of a paid police department by a West Virginia municipality or municipal subdivision which has established and maintains a municipal policemen's pension and relief fund, and who is not a member of, and not eligible for membership in, a municipal policemen's pension and relief fund as provided in §8-22-16 of this code: *Provided*, That municipal police officer also means an individual employed as a member of a paid police department by a West Virginia municipality or municipal subdivision which is authorized to elect to participate in the plan pursuant to §8-22A-33 or §8-22A-33a of this code. Paid police department does not mean a department whose employees are paid nominal salaries or wages or are paid only for services actually rendered on an hourly basis.

(2) "Municipal firefighter" means an individual employed as a member of a paid fire department by a West Virginia municipality or municipal subdivision which has established and maintains a municipal firemen's pension and relief fund, and who is not a member of, and not eligible for membership in, a municipal firemen's pension and relief fund as provided in §8-22-16 of this code: *Provided*, That municipal firefighter also means an individual employed as a member of a paid fire department by a West Virginia municipality or municipal subdivision which is authorized to elect to participate in the plan pursuant to §8-22A-33 or §8-22A-33a of this code. Paid fire department does not mean a department whose employees are paid nominal salaries or wages or are paid only for services actually rendered on an hourly basis.

~~(z)~~ (aa) "Municipal subdivision" means any separate corporation or instrumentality established by one or more municipalities, as permitted by law; and any public corporation charged by law with the performance of a governmental function

and whose jurisdiction is coextensive with one or more municipalities.

~~(aa)~~ (bb) "Normal form" means a monthly annuity which is one twelfth of the amount of the member's accrued benefit which is payable for the member's life. If the member dies before the sum of the payments he or she receives equals his or her accumulated contributions on the annuity starting date, the named beneficiary shall receive in one lump sum the difference between the accumulated contributions at the annuity starting date and the total of the retirement income payments made to the member.

~~(bb)~~ (cc) "Normal retirement age" means the first to occur of the following: (1) Attainment of age 50 years and the completion of 20 or more years of regular contributory service; (2) while still in covered employment, attainment of at least age 50 years and when the sum of current age plus regular contributory service equals or exceeds 70 years; (3) while still in covered employment, attainment of at least age 60 years and completion of 10 years of regular contributory service; or (4) attainment of age 62 years and completion of five or more years of regular contributory service.

~~(ee)~~ (dd) "Participating public employer" means a municipality, municipal subdivision participating in the plan or an institution of higher education.

(ee) "Plan" means the West Virginia Municipal Police Officers and Firefighters Retirement System established by this article.

~~(dd)~~ (ff) "Plan year" means the 12-month period commencing on January 1 of any designated year and ending the following December 31.

~~(ee)~~ (gg) "Qualified public safety employee" means any employee of a participating state or political subdivision who provides police protection, firefighting services or emergency medical services for any area within the jurisdiction of the state or political subdivision, or such other meaning given to the term by Section 72(t) (10) (B) of the Internal Revenue Code or by Treasury

Regulation §1.401(a)-1(b) (2) (v) as they may be amended from time to time.

~~(ff)~~ (hh) "Regular contributory service" means a member's credited service excluding active military duty, disability service and accrued annual and sick leave service.

~~(gg)~~ (ii) "Regular interest" means the rate or rates of interest per annum, compounded annually, as the board adopts in accordance with the provisions of this article.

~~(hh)~~ (jj) "Required beginning date" means April 1 of the calendar year following the later of: (1) The calendar year in which the member attains age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949); or (2) the calendar year in which he or she retires or otherwise separates from covered employment (1) the calendar year in which the member attains the applicable age as set forth in this paragraph; or

(2) The calendar year in which he or she retires or otherwise separates from covered employment.

The applicable age is:

(A) Seventy-two, if the individual attains age 72 prior to January 1, 2023;

(B) Seventy-three, if the individual attains age 72 after December 31, 2022, and attains age 73 before January 1, 2033; or

(C) Seventy-five, if the individual attains age 74 after December 31, 2032; *Provided*, That the applicable age shall be determined in accordance with the provisions of §401(a)(9) of the Internal Revenue Code and the Treasury Regulations thereunder, as the same may be amended from time to time.

(kk) "Retirant" means any member who commences an annuity payable by the plan.

~~(ii)~~ (ll) "Retirement income payments" means the monthly retirement income payments payable.

~~(jj)~~ (mm) "Spouse" means the person to whom the member is legally married on the annuity starting date.

~~(kk)~~ (nn) "Surviving spouse" means the person to whom the member was legally married at the time of the member's death and who survived the member.

~~(ll)~~ (oo) "Totally disabled" means a member's inability to engage in substantial gainful activity by reason of any medically determined physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months. For purposes of this subsection: (1) A member is totally disabled only if his or her physical or mental impairment or impairments are so severe that he or she is not only unable to perform his or her previous work as a police officer or firefighter but also cannot, considering his or her age, education and work experience, engage in any other kind of substantial gainful employment which exists in the state regardless of whether: (A) The work exists in the immediate area in which the member lives; (B) a specific job vacancy exists; or (C) the member would be hired if he or she applied for work. For purposes of this article, substantial gainful employment is the same definition as used by the United States Social Security Administration; and (2) "physical or mental impairment" is an impairment that results from an anatomical, physiological or psychological abnormality that is demonstrated by medically accepted clinical and laboratory diagnostic techniques. The board may require submission of a member's annual tax return for purposes of monitoring the earnings limitation.

~~(mm)~~ (pp) "Vested" means eligible for retirement income payments after completion of five or more years of regular contributory service.

~~(nn)~~ (qq) "Year of service" means a member shall, except in his or her first and last years of covered employment, be credited with years of service credit based on the hours of service performed as covered employment and credited to the member during the plan year based on the following schedule:

Hours of Service	Year of Service Credited

Less than 500	0
500 to 999	1/3
1,000 to 1,499	2/3
1,500 or more	1

During a member's first and last years of covered employment, the member shall be credited with one twelfth of a year of service for each month during the plan year in which the member is credited with an hour of service for which contributions were received by the fund. A member is not entitled to credit for years of service for any time period during which he or she received disability payments under §8-22A-17 and §8-22A-18 of this code.

CHAPTER 16. PUBLIC HEALTH.

ARTICLE 5V. EMERGENCY MEDICAL SERVICES RETIREMENT SYSTEM ACT.

§16-5V-2. Definitions.

As used in this article, unless a federal law or regulation or the context clearly requires a different meaning:

(a) "Accrued benefit" means on behalf of any member two and six-tenths percent per year of the member's final average salary for the first 20 years of credited service. Additionally, two percent per year for 21 through 25 years and one and one-half percent per year for each year over 25 years will be credited with a maximum benefit of 67 percent. A member's accrued benefit may not exceed the limits of Section 415 of the Internal Revenue Code and is subject to the provisions of §16-5V-12 of this code.

(1) The board may, upon the recommendation of the board's actuary, increase the employees' contribution rate to 10 and five-tenths percent should the funding of the plan not reach 70 percent funded by July 1, 2012. The board shall decrease the contribution

rate to eight and one-half percent once the plan funding reaches the 70 percent support objective as of any later actuarial valuation date.

(2) Upon reaching the 75 percent actuarial funded level, as of an actuarial valuation date, the board shall increase the two and six-tenths percent to two and three-quarter percent for the first 20 years of credited service. The maximum benefit will also be increased from 67 percent to 90 percent.

(3) For 911 personnel or home confinement officers with assets transferred pursuant to §16-5V-6d or §16-5V-6f of this code who did not elect to pay back higher past contributions with interest, "accrued benefit" means, on behalf of the member, two percent per year of the member's final average salary for all credited service that was credited as a result of transferred assets. Additionally, two and three-quarter percent for the first 20 years of new credited service earned from date of membership in this plan will be credited. Additionally, two percent per year for 21 through 25 years of new credited service earned from date of membership in this plan and one and one-half percent per year for each year over 25 years earned from date of membership in this plan will be credited. A maximum benefit of 90 percent of a member's final average salary may be paid. A member's accrued benefit may not exceed the limits of Section 415 of the Internal Revenue Code and is subject to the provisions of §16-5V-12 of this code.

(4) For 911 personnel or home confinement officers with assets transferred pursuant to §16-5V-6d or §16-5V-6f of this code who did elect to pay back higher past contributions, with interest, for eligible 911 service credit, "accrued benefit" means on behalf of the member two percent per year of the member's final average salary for all non-911 credited service that was credited as a result of transferred assets. Additionally, two and three-quarter percent for the first 20 years of 911 credited service will be credited. Additionally, two percent per year for 21 through 25 years of 911 credited service and one and one-half percent per year for each year over 25 years of 911 credited service will be credited. A maximum benefit of 90 percent of a member's final average salary may be paid. A member's accrued benefit may not exceed the limits of

Section 415 of the Internal Revenue Code and is subject to the provisions of §16-5V-12 of this code.

(b) "Accumulated contributions" means the sum of all retirement contributions deducted from the compensation of a member, or paid on his or her behalf as a result of covered employment, together with regular interest on the deducted amounts.

(c) "Active military duty" means full-time active duty with any branch of the armed forces of the United States, including service with the National Guard or reserve military forces when the member has been called to active full-time duty and has received no compensation during the period of that duty from any board or employer other than the armed forces.

(d) "Actuarial equivalent" means a benefit of equal value computed upon the basis of the mortality table and interest rates as set and adopted by the board in accordance with the provisions of this article.

(e) "Annual compensation" means the wages paid to the member during covered employment within the meaning of Section 3401(a) of the Internal Revenue Code, but determined without regard to any rules that limit the remuneration included in wages based upon the nature or location of employment or services performed during the plan year plus amounts excluded under Section 414(h)(2) of the Internal Revenue Code and less reimbursements or other expense allowances, cash or noncash fringe benefits or both, deferred compensation and welfare benefits. Annual compensation for determining benefits during any determination period may not exceed the maximum compensation allowed as adjusted for cost of living in accordance with §5-10D-7 of this code and Section 401(a)(17) of the Internal Revenue Code.

(f) "Annual leave service" means accrued annual leave.

(g) "Annuity starting date" means the first day of the month for which an annuity is payable after submission of a retirement application. For purposes of this subsection, if retirement income

payments commence after the normal retirement age, "retirement" means the first day of the month following or coincident with the latter of the last day the member worked in covered employment or the member's normal retirement age and after completing proper written application for retirement on an application supplied by the board.

(h) "Board" means the Consolidated Public Retirement Board.

(i) "Bona fide separation from service upon retirement" means that a retirant has completely terminated any employment relationship with any participating public employer in the system for a period of at least 60 consecutive days from the effective date of retirement and without a prearranged agreement to return to employment with a participating employer. For purposes of this definition, an employment relationship includes employment in any capacity, whether on a permanent, full-time, part-time, substitute, per diem, temporary, or leased employee basis.

~~(j)~~(i) "Contributing service" or "contributory service" means service rendered by a member while employed by a participating public employer for which the member made contributions to the plan. Contributory service that was transferred in full from the Public Employees Retirement System will qualify as contributory service in this plan.

~~(j)~~(k) "County commission or political subdivision" has the meaning ascribed to it in this code.

~~(k)~~(l) "County firefighter" means an individual employed in full-time employment as a firefighter with a county commission.

~~(l)~~(m) "Covered employment" means: (1) Employment as a full-time emergency medical technician, emergency medical technician/paramedic, or emergency medical services/registered nurse, and the active performance of the duties required of emergency medical services officers; or (2) employment as a full-time employee of a county 911 public safety answering point; or ~~(3)~~ employment as a full-time county home confinement officer; or ~~(3)~~(4) employment as a full-time county firefighter; or ~~(4)~~(5) the

period of time during which active duties are not performed but disability benefits are received under this article; or ~~(5)~~(6) concurrent employment by an emergency medical services officer, 911 personnel, home confinement officer, or county firefighter in a job or jobs in addition to his or her employment as an emergency medical services officer, 911 personnel, home confinement officer, or county firefighter where the secondary employment requires the emergency medical services officer, 911 personnel, home confinement officer, or county firefighter to be a member of another retirement system which is administered by the Consolidated Public Retirement Board pursuant to this code: *Provided*, That the emergency medical services officer, 911 personnel, home confinement officer, or county firefighter contributes to the fund created in this article the amount specified as the member's contribution in §16-5V-8 of this code.

~~(m)~~(n) "Credited service" means the sum of a member's years of service, active military duty, disability service, service transferred from the Public Employees Retirement System and accrued annual and sick leave service.

~~(n)~~(o) "Dependent child" means either:

(1) An unmarried person under age eighteen who is:

(A) A natural child of the member;

(B) A legally adopted child of the member;

(C) A child who at the time of the member's death was living with the member while the member was an adopting parent during any period of probation; or

(D) A stepchild of the member residing in the member's household at the time of the member's death; or

(2) Any unmarried child under age 23:

(A) Who is enrolled as a full-time student in an accredited college or university;

(B) Who was claimed as a dependent by the member for federal income tax purposes at the time of the member's death; and

(C) Whose relationship with the member is described in paragraph (A), (B), or (C), subdivision (1) of this subsection.

~~(e)~~(p) "Dependent parent" means the father or mother of the member who was claimed as a dependent by the member for federal income tax purposes at the time of the member's death.

~~(p)~~(q) "Disability service" means service received by a member, expressed in whole years, fractions thereof or both, equal to one half of the whole years, fractions thereof, or both, during which time a member receives disability benefits under this article.

~~(e)~~(r) "Early retirement age" means age 45 or over and completion of 20 years of contributory service.

~~(r)~~(s) "Effective date" means January 1, 2008.

~~(s)~~(t) "Emergency medical services officer" means an individual employed by the state, county or other political subdivision as a medical professional who is qualified to respond to medical emergencies, aids the sick and injured and arranges or transports to medical facilities, as defined by the West Virginia Office of Emergency Medical Services. This definition is construed to include employed ambulance providers and other services such as law enforcement, rescue, or fire department personnel who primarily perform these functions and are not provided any other credited service benefits or retirement plans. These persons may hold the rank of emergency medical technician/basic, emergency medical technician/paramedic, emergency medical services/registered nurse, or others as defined by the West Virginia Office of Emergency Medical Services and the Consolidated Public Retirement Board.

~~(t)~~(u) "Employer error" means an omission, misrepresentation, or deliberate act in violation of relevant provisions of the West Virginia Code, the West Virginia Code of State Rules, or the relevant provisions of both the West Virginia Code and of the West Virginia Code of State Rules by the participating public employer

that has resulted in an underpayment or overpayment of contributions required.

~~(u)~~(v) "Final average salary" means the average of the highest annual compensation received for covered employment by the member during any five consecutive plan years within the member's last 10 years of service while employed, prior to any disability payment. If the member did not have annual compensation for the five full plan years preceding the member's attainment of normal retirement age and during that period the member received disability benefits under this article, then "final average salary" means the average of the monthly salary determined paid to the member during that period as determined under §16-5V-19 of this code multiplied by 12. Final average salary does not include any lump sum payment for unused, accrued leave of any kind or character.

~~(v)~~(w) "Full-time employment" means permanent employment of an employee by a participating public employer in a position which normally requires 12 months per year service and requires at least 1,040 hours per year service in that position.

~~(w)~~(x) "Fund" means the West Virginia Emergency Medical Services Retirement Fund created by this article.

(y) "Home confinement officer" means an individual employed in full-time employment as a home confinement officer or home incarceration supervisor with a county sheriff's office or by a county commission and who is certified pursuant to the provisions of §30-29-1 et seq. of this code.

~~(x)~~ (z) "Hour of service" means:

(1) Each hour for which a member is paid or entitled to payment for covered employment during which time active duties are performed. These hours shall be credited to the member for the plan year in which the duties are performed; and

(2) Each hour for which a member is paid or entitled to payment for covered employment during a plan year, but where no duties are performed due to vacation, holiday, illness, incapacity

including disability, layoff, jury duty, military duty, leave of absence, or any combination thereof and without regard to whether the employment relationship has terminated. Hours under this subdivision shall be calculated and credited pursuant to West Virginia Division of Labor rules. A member will not be credited with any hours of service for any period of time he or she is receiving benefits under §16-5V-19 or §16-5V-20 of this code; and

(3) Each hour for which back pay is either awarded or agreed to be paid by the employing county commission or political subdivision, irrespective of mitigation of damages. The same hours of service shall not be credited both under subdivision (1) or subdivision (2) of this subsection and under this subdivision. Hours under this paragraph shall be credited to the member for the plan year or years to which the award or agreement pertains, rather than the plan year in which the award, agreement, or payment is made.

~~(y)~~ (aa) "Medical examination" means an in-person or virtual examination of a member's physical or mental health, or both, by a physician or physicians selected or approved by the board; or, at the discretion of the board, a medical record review of the member's physical or mental health, or both, by a physician selected or approved by the board.

~~(z)~~ (bb) "Member" means either: (1) A person first hired as an emergency medical services officer by an employer which is a participating public employer of the Emergency Medical Services Retirement System after the effective date of this article, as defined in subsection ~~(r)~~ (s) of this section; or (2) an emergency medical services officer of an employer which is a participating public employer of the Public Employees Retirement System first hired prior to the effective date and who elects to become a member pursuant to this article; or (3) a person first hired by a county 911 public safety answering center after the participating public employer elects to participate in the Emergency Medical Services Retirement System; or (4) a home confinement officer hired on or after July 1, 2025, employed by a participating public employer and who is not participating in the Deputy Sheriffs Retirement System; or (5) a home confinement officer who elects to participate pursuant to §16-5V-6f of this code and who is employed by a

participating public employer; or ~~(4)~~(6) a county firefighter hired on or after June 10, 2022; or ~~(5)~~(7) a county firefighter of an employer which is a participating public employer of the Public Employees Retirement System first hired prior to June 10, 2022, and who elects to become a member pursuant to §16-5V-6a of this code; or ~~(6)~~(8) a person first hired by a county 911 public safety answering center prior to July 1, 2022, and who elects to become a member pursuant to §16-5V-6c of this code. A member shall remain a member until the benefits to which he or she is entitled under this article are paid or forfeited.

~~(aa)~~(cc) "Monthly salary" means the W-2 reportable compensation received by a member during the month.

~~(bb)~~(dd) "Normal form" means a monthly annuity which is one twelfth of the amount of the member's accrued benefit which is payable for the member's life. If the member dies before the sum of the payments he or she receives equals his or her accumulated contributions on the annuity starting date, the named beneficiary shall receive in one lump sum the difference between the accumulated contributions at the annuity starting date and the total of the retirement income payments made to the member.

~~(ee)~~(ee) "Normal retirement age" means the first to occur of the following:

(1) Attainment of age 50 years and the completion of 20 or more years of regular contributory service, excluding active military duty, disability service, and accrued annual and sick leave service;

(2) While still in covered employment, attainment of at least age 50 years and when the sum of current age plus regular contributory years of service equals or exceeds 70 years;

(3) While still in covered employment, attainment of at least age 60 years and completion of 10 years of regular contributory service; or

(4) Attainment of age 62 years and completion of five or more years of regular contributory service.

~~(dd)~~(ff) "Participating public employer" means: (1) Any county commission, political subdivision, or county 911 public safety answering point in the state which has elected to cover its emergency medical services officers or 911 personnel, as defined in this article, under the West Virginia Emergency Medical Services Retirement System; or (2) any county sheriff's office or county commission who employs full-time home confinement officers; or ~~(2)~~(3) any county commission who employs county firefighters or full-time home confinement officers.

~~(ee)~~(gg) "Plan" means the West Virginia Emergency Medical Services Retirement System established by this article.

~~(ff)~~(hh) "Plan year" means the 12-month period commencing on January 1 of any designated year and ending the following December 31.

~~(gg)~~(ii) "Political subdivision" means a county, city, or town in the state; any separate corporation or instrumentality established by one or more counties, cities, or towns, as permitted by law; any corporation or instrumentality supported in most part by counties, cities, or towns; and any public corporation charged by law with the performance of a governmental function and whose jurisdiction is coextensive with one or more counties, cities, or towns: *Provided*, That any public corporation established under §7-15-4 of this code is considered a political subdivision solely for the purposes of this article.

~~(hh)~~(jj) "Public Employees Retirement System" means the West Virginia Public Employees Retirement System created by West Virginia Code.

~~(ii)~~(kk) "Regular interest" means the rate or rates of interest per annum, compounded annually, as the board adopts in accordance with the provisions of this article.

~~(jj)~~(ll) "Required beginning date" means April 1 of the calendar year following the later of: ~~(1) The calendar year in which the member attains age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949); or (2) the calendar year in which he or~~

~~she retires or otherwise separates from covered employment~~ (1) The calendar year in which the member attains the applicable age as set forth in this paragraph; or

(2) The calendar year in which he or she retires or otherwise separates from covered employment.

The applicable age is:

(A) Seventy-two, if the individual attains age 72 prior to January 1, 2023;

(B) Seventy-three, if the individual attains age 72 after December 31, 2022, and attains age 73 before January 1, 2033; or

(C) Seventy-five, if the individual attains age 74 after December 31, 2032; provided that the applicable age shall be determined in accordance with the provisions of §401(a)(9) of the Internal Revenue Code and the Treasury Regulations thereunder, as the same may be amended from time to time.

~~(kk)~~(mm) "Retirant" means any member who commences an annuity payable by the plan.

~~(H)~~(nn) "Retire" or "retirement" means a member's withdrawal from the employ of a participating public employer and the commencement of an annuity by the plan.

~~(mm)~~(oo) "Retirement income payments" means the monthly retirement income payments payable under the plan.

~~(nn)~~(pp) "Spouse" means the person to whom the member is legally married on the annuity starting date.

~~(oo)~~(qq) "Surviving spouse" means the person to whom the member was legally married at the time of the member's death and who survived the member.

~~(pp)~~(rr) "Totally disabled" means a member's inability to engage in substantial gainful activity by reason of any medically determined physical or mental impairment that can be expected to

result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months.

For purposes of this subsection:

(1) A member is totally disabled only if his or her physical or mental impairment or impairments is so severe that he or she is not only unable to perform his or her previous work as an emergency medical services officer, 911 personnel, home confinement officer, or county firefighter but also cannot, considering his or her age, education, and work experience, engage in any other kind of substantial gainful employment which exists in the state regardless of whether: (A) The work exists in the immediate area in which the member lives; (B) a specific job vacancy exists; or (C) the member would be hired if he or she applied for work. For purposes of this article, substantial gainful employment is the same definition as used by the United States Social Security Administration.

(2) "Physical or mental impairment" is an impairment that results from an anatomical, physiological, or psychological abnormality that is demonstrated by medically accepted clinical and laboratory diagnostic techniques. The board may require submission of a member's annual tax return for purposes of monitoring the earnings limitation.

~~(cc)~~(ss) "Year of service" means a member shall, except in his or her first and last years of covered employment, be credited with years of service credit based upon the hours of service performed as covered employment and credited to the member during the plan year based upon the following schedule:

Hours of Service	Years of Service Credited
Less than 500	0
500 to 999	1/3
1000 to 1499	2/3
1500 or more	1

During a member's first and last years of covered employment, the member shall be credited with one twelfth of a year of service for each month during the plan year in which the member is credited with an hour of service for which contributions were received by the fund. A member is not entitled to credit for years of service for any time period during which he or she received disability payments under §16-5V-19 or §16-5V-20 of this code. Except as specifically excluded, years of service include covered employment prior to the effective date.

Years of service which are credited to a member prior to his or her receipt of accumulated contributions upon termination of employment pursuant to §16-5V-18 of this code or §5-10-30 of this code shall be disregarded for all purposes under this plan unless the member repays the accumulated contributions with interest pursuant to section §16-5V-18 of this code or has, prior to the effective date, made the repayment pursuant to §5-10-18 of this code.

~~(#)~~(tt) "911 personnel" means an individual employed in full-time employment with a county 911 public safety answering point.

§16-5V-6f. Home confinement officers as members of the system. Transfer of home confinement officers assets from Public Employees Retirement System.

(a) Notwithstanding any other provision of this article to the contrary, any home confinement officer hired on or after July 1, 2025, shall be a member of this retirement plan as a condition of employment and upon membership does not qualify for membership in any other retirement system administered by the board, so long as he or she remains employed in covered employment: *Provided*, That any home confinement officer who has concurrent employment in an additional job or jobs which would require the home confinement officer to be a member of any other retirement system administered by the board shall participate in only one retirement system administered by the board and the retirement system applicable to the concurrent employment for which the home confinement officer has the earliest date of hire shall prevail. Notwithstanding any other provision of this article to

the contrary, a person employed as a home confinement officer by a participating public employer may be a member of this retirement plan subject to the provisions of this section. Full-time employment as a home confinement officer employed by a sheriff's office or county commission which is a participating public employer satisfies the definition of "covered employment" as defined in this article.

(b) Any home confinement officer who elects to become a member of the plan does not qualify for active membership in any other retirement system administered by the board, so long as he or she remains employed in covered employment: *Provided*, That any home confinement officer who has concurrent employment in an additional job or jobs which would require the home confinement officer to be an active member of the West Virginia Deputy Sheriffs Retirement System, the West Virginia Municipal Police Officers and Firefighters Retirement System, or the West Virginia Natural Resources Police Officer Retirement System shall actively participate in only one retirement system administered by the board, and the retirement system applicable to the concurrent employment for which the employee has the earliest date of hire shall prevail. Any home confinement officer shall continue to receive his or her accrued benefit of other retirement systems administered by the board, except in the case of Public Employees Retirement System, when credit and assets are transferred to the Emergency Services Retirement System.

(c) Any home confinement officer who was employed as a home confinement officer prior to July 1, 2025, but was not employed on July 1, 2025, shall become a member upon rehire as a home confinement officer. For purposes of this section, the member's years of service and credited service prior to July 1, 2025, may be counted so long as the home confinement officer has not received the return of his or her accumulated contributions in the Public Employees Retirement System pursuant to §5-10-30 of this code. The member may request in writing to have his or her accumulated contributions and employer contributions from covered employment in the Public Employees Retirement System transferred to the plan and will receive two percent of the member's

final average salary for each year transferred. If the conditions of this subsection are met, all years of the home confinement officer's covered employment shall be counted as years of service for the purposes of this article.

(d) Any home confinement officer employed in covered employment on July 1, 2025, shall elect in writing on a form provided by the board whether or not to transfer into this plan on or before August 29, 2025. Any home confinement officer who has elected to transfer into this plan shall be given credited service at the time of transfer for all credited service then standing to the home confinement officer's service credit in the Public Employees Retirement System regardless of whether the credited service, as defined in §5-10-2 of this code, was earned as a home confinement officer. All credited service standing to the transferring home confinement officer's credit in the Public Employees Retirement System at the time of transfer into this plan shall be transferred into the plan created by this article, and the transferring home confinement officer shall be given the same credit for the purposes of this article for all service transferred from the Public Employees Retirement System as that transferring home confinement officer would have received from the Public Employees Retirement System as if the transfer had not occurred but with accrued benefit multipliers subject to the provisions of §16-5V-12 of this code. In connection with each transferring home confinement officer receiving credit for prior employment as provided in this subsection, a transfer from the Public Employees Retirement System to this plan shall be made pursuant to the procedures described in this article: *Provided*, That any member of this plan who has elected to transfer from the Public Employees Retirement System into this plan pursuant to this section may not, after having transferred into and becoming an active member of this plan, reinstate to his or her credit in this plan any service credit relating to periods in which the member was not in covered employment as a home confinement officer and which service was withdrawn from the Public Employees Retirement System prior to his or her elective transfer into this plan.

(e) Once made, the election made under this section is irrevocable. All home confinement officers electing to become members as described in this section, shall be members as a condition of employment and shall make the contributions required by this article.

(f) The Consolidated Public Retirement Board shall transfer assets of home confinement officers who wish to participate in the Emergency Medical Services Retirement Act from the Public Employees Retirement System Trust Fund into the West Virginia Emergency Medical Services Trust Fund no later than March 31, 2026.

(g) The amount of assets to be transferred for each transferring home confinement officer shall be computed using the July 1, 2025, actuarial valuation of the Public Employees Retirement System, and updated with 7.25 percent annual interest to the date of the actual asset transfer. The market value of the assets of the transferring home confinement officer in the Public Employees Retirement System shall be determined as of the end of the month preceding the actual transfer. To determine the computation of the asset share to be transferred, the board shall:

(1) Compute the market value of the Public Employees Retirement System assets as of July 1, 2025, actuarial valuation date under the actuarial valuation approved by the board;

(2) Compute the actuarial accrued liabilities for all Public Employees Retirement System retirees, beneficiaries, disabled retirees, and terminated inactive members as of July 1, 2025, actuarial valuation date;

(3) Compute the market value of active member assets in the Public Employees Retirement System as of July 1, 2025, by reducing the assets value under subdivision (1) of this subsection by the inactive liabilities under subdivision (2) of this subsection;

(4) Compute the actuarial accrued liability for all active Public Employees Retirement System members as of July 1, 2025, actuarial valuation date approved by the board;

(5) Compute the funded percentage of the active members' actuarial accrued liabilities under the Public Employees Retirement System as of July 1, 2025, by dividing the active members' market value of assets under subdivision (3) of this subsection by the active members' actuarial accrued liabilities under subdivision (4) of this subsection;

(6) Compute the actuarial accrued liabilities under the Public Employees Retirement System as of July 1, 2025, for active home confinement officers transferring to the Emergency Medical Services Retirement System;

(7) Determine the assets to be transferred from the Public Employees Retirement System to the Emergency Medical Services Retirement System by multiplying the active members' funded percentage determined under subdivision (5) of this subsection by the transferring active members' actuarial accrued liabilities under the Public Employees Retirement System under subdivision (6) of this subsection and adjusting the asset transfer amount by interest at 7.25 percent for the period from the calculation date of July 1, 2025, through the first day of the month in which the asset transfer is to be completed.

(h) Once a home confinement officer has elected to transfer from the Public Employees Retirement System, transfer of that amount as calculated in accordance with the provisions of subsection (g) of this section by the Public Employees Retirement System shall operate as a complete bar to any further liability to the Public Employees Retirement System and constitutes an agreement whereby the transferring home confinement officer forever indemnifies and holds harmless the Public Employees Retirement System from providing him or her any form of retirement benefit whatsoever until that emergency medical services officer obtains other employment which would make him or her eligible to reenter the Public Employees Retirement System with no credit whatsoever for the amounts transferred to the Emergency Medical Services Retirement System.

(i) A home confinement officer who timely elected to transfer into this plan may request in writing that the Consolidated Public

Retirement Board compute a quote of the amount owed for the member's transferred home confinement officer to be eligible for the 2.75 percent multiplier. The quote shall be provided to the member within 60 days of the board's receipt of the written request and the employer's verification of home confinement officer. Other Public Employees Retirement System employment is eligible for transfer, but only at the 2 percent multiplier. To determine the computation of the quote provided, the board shall:

(1) Compute the contributions made by each home confinement officer for eligible years under Public Employees Retirement System.

(2) Compute the contributions that would have been required under Emergency Medical Services Retirement System for eligible years.

(3) Compute the difference with interest at 7.25 percent that each home confinement officer would have been required to pay had he or she originally participated in Emergency Medical Services Retirement System for eligible years.

(4) Full reinstatement amount must be repaid no later than December 31, 2030, or prior to the member's effective retirement date, whichever occurs first.

(j) Commencement of retirement for transferring home confinement officers may occur on or after April 1, 2026

CHAPTER 18B. HIGHER EDUCATION.

ARTICLE 4. GENERAL ADMINISTRATION.

§18B-4-5. Campus police officers; appointment; qualifications; authority; compensation and removal; law enforcement grants; pension plan.

(a) The governing boards may appoint qualified individuals to serve as campus police officers upon any premises owned or leased by the State of West Virginia and under the jurisdiction of the

governing boards, subject to the conditions and restrictions established in this section.

(1) A person who previously was qualified for employment as a law-enforcement officer for an agency or political subdivision of any state is considered qualified for appointment as a campus police officer.

(2) Before performing duties as a campus police officer in any county, a person shall qualify as is required of county police officers by:

(A) Taking and filing an oath of office as required by §6-1-1 *et seq.* of this code; and

(B) Posting an official bond as required by §6-2-1 *et seq.* of this code.

(b) A campus police officer may carry a gun and any other dangerous weapon while on duty if the officer fulfills the certification requirement for law-enforcement officers under §30-29-5 of this code or meets the requirements of subsection (a) of this section.

(c) ~~It is the duty of a~~ A campus police officer ~~to~~ shall preserve law and order on:

(1) ~~On the~~ The premises under the jurisdiction of the governing board; and

(2) ~~On any~~ Any street, road, or thoroughfare, except controlled access and open country highways, immediately adjacent to or passing through premises, to which the officer is assigned by the president of the institution.

(A) For the purpose of this subdivision, the campus police officer is a law-enforcement officer pursuant to the provisions of §30-29-1 *et seq.* of this code;

(B) The officer has and may exercise all the powers and authority of a law-enforcement officer as to offenses committed within the area assigned;

(C) The officer is subject to all the requirements and responsibilities of a law-enforcement officer;

(D) Authority assigned pursuant to this subdivision does not supersede in any way the authority or duty of other law-enforcement officers to preserve law and order on ~~such~~ these premises;

(E) Campus police officers may assist a local law-enforcement agency on public highways. The assistance may be provided to control traffic in and around premises owned by the state when:

(i) Traffic is generated as a result of athletic or other activities conducted or sponsored by the institution; and

(ii) The assistance has been requested by the local law-enforcement agency; and

(F) Campus police officers may assist a local law-enforcement agency in any location under the agency's jurisdiction at the request of the agency.

(d) The salary of a campus police officer is paid by the employing governing board. A state institution may furnish each campus police officer with a firearm and an official uniform to be worn while on duty. The institution shall furnish and require each officer while on duty to wear a shield with an appropriate inscription and to carry credentials certifying the person's identity and authority as a campus police officer.

(e) A governing board may at its pleasure revoke the authority of any campus police officer and such officers serve at the will and pleasure of the governing board. The president of the state institution shall report the termination of employment of a campus police officer by filing a notice to that effect in the office of the clerk of each county in which the campus police officer's oath of office was filed.

(f) Notwithstanding any other provisions of this code to the contrary, and for purposes of enhancing the ability of campus police officers to perform their duties, a governing board may apply for and receive any public or private grant or other financial award that is available to other law-enforcement agencies in the state.

(g) Current campus police officers may choose to participate in the Deputy Sheriffs Retirement System, to be administered by the Consolidated Public Retirement Board. Should the current campus police officer choose to participate in the Deputy Sheriffs Retirement System, no service credit or dollars accrued may be moved to that system.

(h) Effective January 1, 2026, all newly hired campus police officers shall participate in the Deputy Sheriffs Retirement System

ARTICLE 7. PERSONNEL GENERALLY.

§18B-7-5. Supplemental and additional retirement plans for employees; payroll deductions; authority to match employee contributions; retroactive curative and technical corrective action.

(a) Any reference in this code to the "additional retirement plan" relating to state higher education employees, means the "Higher Education Retirement Plan" provided in this section. Any state higher education employee participating in a retirement plan upon the effective date of this section continues to participate in that plan and may not elect to participate in any other state retirement plan. Any retirement plan continues to be governed by the provisions of law applicable on the effective date of this section.

(b) The commission, on behalf of the council, governing boards and itself, shall contract for a retirement plan for their employees, to be known as the Higher Education Retirement Plan. The commission, council and governing boards shall make periodic deductions from the salary payments due employees in the amount

they are required to contribute to the Higher Education Retirement Plan, which deductions shall be six percent.

(c) The commission, council and governing boards may contract for supplemental retirement plans for any or all of their employees to supplement the benefits employees otherwise receive. The commission, council and governing boards may make additional periodic deductions from the salary payments due the employees in the amount they are required to contribute for the supplemental retirement plan.

(d) An organization, by way of additional compensation to their employees, shall pay an amount, which, at a minimum, equals the contributions of the employees into the Higher Education Retirement Plan from funds appropriated to the commission, council, or governing board for personal services.

(e) As part of an overall compensation plan, the commission, council or a governing board, each at its sole discretion, may increase its contributions to any employee retirement plan to an amount that exceeds the contributions of employees.

(f) Each participating employee has a full and immediate vested interest in the retirement and death benefits accrued from all the moneys paid into the Higher Education Retirement Plan or a supplemental retirement plan for his or her benefit. Upon proper requisition of a governing board, the commission, or council, the Auditor periodically shall issue a warrant, payable as specified in the requisition, for the total contributions so withheld from the salaries of all participating employees and for the matching funds of the commission, council or governing board.

(g) Any person whose employment commences on or after July 1, 1991, and who is eligible to participate in the Higher Education Retirement Plan, shall participate in that plan and is not eligible to participate in any other state retirement system: *Provided*, That the foregoing provision does not apply to a person designated as a 21st Century Learner Fellow pursuant to §18A-3-11 of this code: *Provided, however, That the foregoing provision does not apply to campus police officers in this state pursuant to §18B-4-5.* The

additional retirement plan contracted for by the governing boards prior to July 1, 1991, remains in effect unless changed by the commission. Nothing in this section considers employees of the council or governing boards as employees of the commission, nor is the commission responsible or liable for retirement benefits contracted by, or on behalf of, the council or governing boards.;

And,

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

Eng. Com. Sub. for Senate Bill 35—A Bill to amend and reenact §8-22A-2, §16-5V-2, §18B-4-5, and §18B-7-5, and of the Code of West Virginia, 1931, as amended, and to amend the code by adding a new section, designated §16-5V-6f, relating to retirement of certain law enforcement officers; amending definitions; providing definition for bona fide separation from service upon retirement; allowing campus police officers hired before January 1, 2026, to participate in the Municipal Police and Firefighters Retirement System under certain conditions; mandating newly hired campus police officers to participate in the Municipal Police and Firefighters Retirement System beginning on January 1, 2026; authorizing home confinement officers to participate in the Emergency Medical Services Retirement System; requiring newly hired home confinement officers to participate in the Emergency Medical Services Retirement System beginning on January 1, 2025, and providing for home confinement officers to transfer from the Public Employees Retirement System to the Emergency Medical Services Retirement System.

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

Engrossed Committee Substitute for Senate Bill 35, 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, 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)—33.

The nays were: None.

Absent: Boley—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. 35) 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 Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 2451, To facilitate the creation of home-based businesses.

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

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

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

CHAPTER 8. MUNICIPAL CORPORATIONS.

ARTICLE 13. TAXATION AND FINANCE.

§8-13-4. Municipal license and tax thereon when state license required.

(a) Whenever anything, for which a state license is required, is to be done within the corporate limits of any municipality, the governing body shall have plenary power and authority, unless

prohibited by general law, to require a municipal license and for the use of the municipality to impose a reasonable tax which may not exceed the amount of the state license tax. Upon proper application for a municipal license and payment of the prescribed reasonable tax by any person who has a valid and subsisting state license, the municipal license shall be issued.

(b) Except where a business license tax or fee has been established by the West Virginia Code, the governing body of a municipality may, in lieu of the provisions of subsection (a), enact an ordinance creating an annual general municipal business license for anything which requires a state license that is done within the corporate limits of a municipality, the tax for which may not exceed ~~twenty~~ 20 dollars.

(c) Notwithstanding any other provision of law to the contrary, no municipal license shall be required for an independent contractor or sole proprietor who earns less than \$2,500 in annual gross revenue and who does not maintain a permanent physical location within the municipality's city limits.

§8-13-5. Business and occupation or privilege tax; limitation on rates; effective date of tax; exemptions; activity in two or more municipalities; administrative provisions.

(a) Authorization to impose tax.—(1) Whenever any business activity or occupation, for which the state imposed its annual business and occupation or privilege tax under §11-13-1 *et seq.* of this code, prior to July 1, 1987, is engaged in or carried on within the corporate limits of any municipality, the governing body thereof shall have plenary power and authority, unless prohibited by general law, to impose a similar business and occupation tax thereon for the use of the municipality.

(2) Municipalities may impose a business and occupation or privilege tax upon every person engaging or continuing within the municipality in the business of aircraft repair, remodeling, maintenance, modification, and refurbishing services to any aircraft, or to an engine or other component part of any aircraft as a separate business activity.

(b) Maximum tax rates.—In no case shall the rate of the municipal business and occupation or privilege tax on a particular activity exceed the maximum rate imposed by the state, exclusive of surtaxes, upon any business activities or privileges taxed under §11-13-2a, §11-13-2b, §11-13-2c, §11-13-2d, §11-13-2e, §11-13-2g, §11-13-2h, §11-13-2i, and §11-13-2j of this code, as those rates were in effect under §11-13-1 *et seq.* of this code, on January 1, 1959, or in excess of one percent of gross income under §11-13-2k of this code, or in excess of three-tenths of one percent of gross value or gross proceeds of sale under §11-13-2m of this code. The rate of municipal business and occupation or privilege tax on the activity described in subdivision (2), subsection (a) of this section shall be ten one-hundredths of one percent. The rate of municipal business and occupation or privilege tax on the activity of a health maintenance organization holding a certificate of authority under the provisions of §33-25A-1 *et seq.* of this code, shall not exceed one-half of one percent to be applied solely to that portion of gross income received from the Medicaid program pursuant to Title XIX of the Social Security Act, the state employee programs administered by the Public Employees Insurance Agency pursuant to §5-16-1 *et seq.* of this code, and other federal programs, for health care items or services provided directly or indirectly by the health maintenance organization, that is expended for administrative expenses; and shall not exceed one half of one percent to be applied to the gross income received from enrollees, or from employers on behalf of enrollees, from sources other than Medicaid, state employee programs administered by the Public Employees Insurance Agency, and other federal programs for health care items or services provided directly or indirectly by the health maintenance organization: *Provided*, That this tax rate limitation shall not extend to that part of the gross income of health maintenance organizations which is received from the use of real property other than property in which any company maintains its office or offices in this state, whether the income is in the form of rentals or royalties. This provision concerning the maximum municipal business and occupation tax rate on the activities of health maintenance organizations is effective beginning after December 31, 1996. Any payments of business and occupation tax made by a health maintenance organization to a municipality for

calendar year 1997 is not subject to recovery by the health maintenance organization. Administrative expenses shall include all expenditures made by a health maintenance organization other than expenses paid for claims incurred or payments made to providers for the benefits received by enrollees.

(c) Effective date of local tax.—Any taxes levied pursuant to the authority of this section may be made operative as of the first day of the then current fiscal year or any date thereafter: *Provided*, That any new imposition of tax or any increase in the rate of tax upon any business, occupation or privilege taxed under §11-13-2e of this code, applies only to gross income derived from contracts entered into after the effective date of the imposition of tax or rate increase, and which effective date shall not be retroactive in any respect: *Provided, however*, That no tax imposed or revised under this section upon public utility services may be effective unless and until the municipality provides written notice of the same by certified mail to said public utility at least 60 days prior to the effective date of said tax or revision thereof.

(d) Exemptions.—

(1) A municipality shall not impose its business and occupation or privilege tax on any activity that was exempt from the state's business and occupation tax under the provisions of §11-13-3 of this code, prior to July 1, 1987, and determined without regard to any annual or monthly monetary exemption also specified therein: *Provided*, That on and after July 1, 2007, a municipality may impose its business and occupation or privilege tax on any activity of a corporation, association, or society organized and operated exclusively for religious or charitable purposes that was exempt from the state's business and occupation tax under the provisions of §11-13-3 of this code, prior to July 1, 1987, but only to the extent that the income generated by the activity is subject to taxation under the provisions of §511 of the Internal Revenue Code of 1986, as amended.

(2) A municipality shall not impose its business and occupation or privilege tax on any business with a gross revenue below \$2,500 annually

~~(2)~~(3) Effective July 1, 2023, the municipal business and occupation or privilege tax on the sale of new automobiles that have never been registered in the name of an individual shall be reduced by 50 percent of the total amount of the tax: *Provided*, That, effective July 1, 2024, the remaining municipal business and occupation or privilege tax on the sale of new automobiles that have never been registered in the name of an individual shall be reduced by an additional 50 percent of the total amount of the tax: *Provided, however*, That July 1, 2025, the municipal business and occupation or privilege tax on the sale of new automobiles that have never been registered in the name of an individual shall be completely eliminated. For the purposes of this section, an automobile is a self-propelled vehicle used on the roads and highways by the use of motor vehicle fuel or propelled by one or more electric motors using energy stored in batteries or a combination thereof. An automobile shall include a light-duty truck with an enclosed cabin and an open loading area at the rear and a sport utility vehicle. An automobile does not include a motorcycle.

(e) Activity in two or more municipalities.—Whenever the business activity or occupation of the taxpayer is engaged in or carried on in two or more municipalities of this state, the amount of gross income, or gross proceeds of sales, taxable by each municipality shall be determined in accordance with legislative rules as prescribed by the Tax Commissioner. It is the intent of the Legislature that multiple taxation of the same gross income, or gross proceeds of sale, under the same classification by two or more municipalities shall not be allowed, and that gross income, or gross proceeds of sales, derived from activity engaged in or carried on within this state, that is presently subject to state tax under §11-13-2c or §11-13-2h of this code, which is not taxed or taxable by any other municipality of this state, may be included in the measure of tax for any municipality in this state, from which the activity was directed, or in the absence thereof, the municipality in this state in which the principal office of the taxpayer is located. Nothing in this subsection shall be construed as permitting any municipality to tax gross income or gross proceeds of sales in violation of the Constitution and laws of this state or the United States, or as

permitting a municipality to tax any activity that has a definite situs outside its taxing jurisdiction.

(f) Where the governing body of a municipality imposes a tax authorized by this section, the governing body may offer tax credits from the tax as incentives for new and expanding businesses located within the corporate limits of the municipality.

(g) Administrative provisions.—The ordinance of a municipality imposing a business and occupation or privilege tax shall provide procedures for the assessment and collection of the tax, which shall be similar to those procedures in §11-13-1 *et seq.* of this code, as in existence on June 30, 1978, or to those procedures in §11-10-1 *et seq.* of this code, and shall conform with such provisions as they relate to waiver of penalties and additions to tax.

(h) Timely payment.—Payments for taxes due under this section that are postmarked after the due date by which they are owed shall be considered late and may be subject to late fees or penalties: *Provided*, That payments that are received by the municipality after the due date, but that were postmarked on or before the due date shall be considered to be on time and shall not be assessed any late fees or penalties.

(i) Any third-party vendors who contract with a city or municipality to collect business and occupation taxes authorized by this section on behalf of a municipality may not charge for their services more than 20% of the amount of taxes collected.

ARTICLE 40. HOME BASED BUSINESSES.

§8-40-1. Definitions.

(a) "Goods" means any merchandise, equipment, products, supplies, or materials.

(b) "Home-based business" means any business for the manufacture, provision, or sale of goods or services that is owned and operated by the owner or tenant of a residential dwelling where

the commercial activity takes place inside a residential dwelling and the commercial activities:

(1) Are limited to the sale of lawful goods and services;

(2) Do not generate on-street parking or a substantial increase in traffic through the residential area; and

(3) Do not have signage visible from the street.

§8-40-2. Permitted use.

(a) The use of a residential dwelling for a home-based business is a permitted use, except that this permission does not supersede or abrogate any of the following:

(1) Any deed restriction, covenant, or agreement restricting the use of land; or

(2) Any deed, by-law, or other document applicable to a common interest ownership community.

§8-40-3. Reasonable regulations.

(a) A municipality may establish reasonable regulations on a home-based business where the regulation is rationally related to a legitimate government interest including, but not limited to, any of the following purposes:

(1) The protection of the public health and safety, as defined in this code, including rules and regulations related to fire and building codes, health and sanitation, transportation, or traffic control, solid or hazardous waste, pollution, and noise control.

(2) Ensuring that the business activity is:

(A) Compatible with residential use of the property and surrounding residential use;

(B) Secondary to the use as a residential dwelling; or

(C) Complying with state and federal law and paying applicable taxes.

(3) Limiting or prohibiting the use of a home-based business that engages in any of the following activities:

(A) Selling illegal drugs or products containing alcohol or tobacco;

(B) Operating a sober living home;

(C) Selling pornography or otherwise obscene material;

(D) Operating a vape shop; or

(E) Operating a commercial establishment where nude or topless dancing occurs.

§8-40-4. Limited conditions.

(a) A municipality shall not require a person as a condition of operating a home-based business to:

(1) Rezone the property for commercial use;

(2) Install or equip fire sprinklers in a single-family detached residential dwelling or any residential dwelling with not more than two dwelling units; or

(3) Obtain a license or permit that is not otherwise required for a similarly situated business.

§8-40-5. Review.

In any proceeding alleging that a municipal regulation violates §8-40-3 or §8-40-4 of this code, the municipality that enacted the regulation shall be required to establish that the regulation complies with the provisions of this article.

ARTICLE 41. SMALL BUSINESS PROTECTION ACT.

§8-41-1. Short title.

This article may be cited as the Small Business Protection Act.

§8-41-2. Intent and legislative findings.

(a) It is the legislative intent and purpose of the Small Business Protection Act to improve state rulemaking by creating procedures to analyze the availability of more flexible regulatory approaches for small businesses.

(b) The legislature finds that:

(1) A vibrant and growing small business sector is critical to creating jobs in a dynamic economy. Increased hiring in West Virginia's small businesses creates higher wages and better outcomes for West Virginia's citizens and families;

(2) Small businesses bear a disproportionate share of regulatory costs and burdens. Increased regulatory costs decrease the amount of capital that small businesses have to create new jobs;

(3) Fundamental changes that are needed in the regulatory and enforcement culture of state agencies to make them more responsive to small business can be made without compromising the statutory missions of the agencies;

(4) When adopting rules to protect the health, safety, and economic welfare of West Virginia, state agencies should seek to achieve statutory goals as effectively and efficiently as possible without imposing unnecessary burdens on small employers;

(5) Uniform regulatory and reporting requirements can impose unnecessary and disproportionately burdensome demands, including legal, accounting, and consulting costs upon small businesses with limited resources;

(6) The failure to recognize differences in the scale and resources of regulated businesses can adversely affect competition in the marketplace, discourage innovation, and restrict improvements in productivity;

(7) Unnecessary regulations create entry barriers in many industries and discourage potential entrepreneurs from introducing beneficial products and processes;

(8) The practice of treating all regulated businesses as equivalent may lead to inefficient use of regulatory agency resources, enforcement problems, and, in some cases, to actions inconsistent with the legislative intent of health, safety, environmental, and economic welfare legislation;

(9) Alternative regulatory approaches which do not conflict with the stated objective of applicable statutes may be available to minimize the significant economic impact of rules on small businesses;

(10) Prior to the adoption of regulations, the process by which state regulations are developed and adopted should be reformed to require agencies to solicit the ideas and comments of small businesses, to examine the impact of proposed and existing rules on such businesses, and to review the continued need for existing rules;

(11) Regulations affect small businesses differently than their larger counterparts. According to the United States Small Business Administration, evidence indicates that regulatory requirements at the federal and state level tend to create disproportionately heavier burdens for small businesses, putting them at a disadvantage relative to their larger competitors. Reasons that small businesses are at a disadvantage include the following:

(A) The cost of regulations is higher relative to available resources. The cost of regulations per employee is higher for businesses with fewer employees; and

(B) The cost per employee for the smallest businesses is typically one or more times greater than the equivalent cost for the largest businesses.

(12) Making small businesses aware of proposed state regulations prior to implementation is key to creating an effective partnership between state agencies and small businesses.

(c) Nothing in the Small Business Protection Act shall be interpreted or construed to limit the ability of an agency to propose rules.

CHAPTER 11. TAXATION.

ARTICLE 12. BUSINESS REGISTRATION TAX.

§11-12-3. Business registration certificate required; tax levied; exemption from registration; exemption from tax; penalty.

(a) *Registration required.*—No person shall, without a business registration certificate, engage in or prosecute, in the State of West Virginia, any business activity without first obtaining a business registration certificate from the Tax Commissioner of the State of West Virginia. Additionally, before beginning business in this state, such person:

(1) If a transient vendor, shall comply with the provisions of sections ~~twenty~~ 20 through ~~twenty-five~~ 25 of this article.

(2) If a collection agency, shall comply with the provisions of ~~article sixteen, chapter forty-seven~~ §47-16-1 et seq. of this code.

(3) If an employment agency, shall comply with the provisions of ~~article two, chapter twenty-one~~ §21-2-1 et seq. of this code.

(4) If selling drug paraphernalia, as defined in ~~section three, article nineteen, chapter forty-seven~~ §47-19-3 of this code, shall comply with the provisions of ~~article nineteen, chapter forty-seven~~ §47-19-1 et seq. of this code.

Persons engaging in or prosecuting other business activities in this state may also be subject to other provisions of this code which they must satisfy before commencing or while engaging in a business activity in this state.

(b) *Tax levied.*—The business registration tax hereby levied shall be \$15 for each annual business registration certificate: *Provided*, That for registration periods beginning on or after July 1, 1999, the business registration tax shall be \$30, except as otherwise provided in this article: *Provided, however*, That after June 30, 2010, the business registration tax shall be \$30.00 for each business registration certificate, including business registration certificates granted upon application after cessation of a business,

or after suspension, revocation, cancellation or lapse of a prior business registration certificate.

(1) A separate business registration certificate is required for each fixed business location from which property or services are offered for sale or lease to the public as a class, or to a limited portion of the public; or at which customer accounts may be opened, closed or serviced.

(2) A separate business registration certificate is not required for each coin-operated machine. A separate certificate is required for each location from which making coin-operated machines available to the public is itself a business activity.

(3) A business that sells tangible personal property or services from or out of one or more vehicles needs a separate business registration certificate for each fixed location in this state from or out of which business is conducted. A copy of its business registration certificate shall be carried in each vehicle and publicly displayed while business is conducted from or out of the vehicle.

(4) A business registration certificate is required by subsection (a) of this section for every person engaging in purposeful revenue generating activity in this state. If that activity is one for which an employment agency license or a collection agency license or a license to sell drug paraphernalia is required and no other business activity is conducted by that person at each business location for which the employment agency license or collection agency license or license to sell drug paraphernalia is issued, then only that license is required for each such activity conducted by the licensee at each business location. However, if, in addition to the activity for which each license is issued, some other business activity is conducted by the licensee at such business location, a separate business registration certificate is required to conduct the nonlicensed activity.

(c) *Exemption from registration.*—Any person engaging in or prosecuting business activity in this state:

(1) Who is not required by law to collect or withhold a tax administered under article ten of this chapter; and

(2) Who does not claim exemption from payment of taxes imposed by articles fifteen and fifteen-a of this chapter, shall be exempt from both registration and payment of the tax imposed by this article, if such person had gross income from business activity of \$4,000 or less during that person's tax year for state income tax purposes immediately preceding the registration period for which a registration certificate is otherwise required by this article.

(d) *Exemptions from payment of tax.*—Any person engaging in or prosecuting any business activity in this state who is required by law to collect or withhold any tax administered under article ten of this chapter; or who claims exemption from payment of the taxes imposed by articles fifteen and fifteen-a of this chapter, shall be required to obtain a business registration certificate, as herein before provided, but shall be exempt from payment of the tax levied by subsection (b) of this section, if such person is:

(1) A person who had ~~gross income from business activity of \$4,000~~ gross income of \$10,000 or less during that person's tax year for state income tax purposes immediately preceding the registration period for which a registration certificate is required under this article.

(2) An organization which qualifies, or would qualify, for exemption from federal income taxes under section 501 of the Internal Revenue Code of 1986, as amended.

(3) This state, or a political subdivision thereof, selling tangible personal property, admissions or services, when those activities compete with or may compete with the activities of another person.

(4) The United States, or an agency or instrumentality thereof, which is exempt from taxation by the states.

(5) A person engaged in the business of agriculture and farming: *Provided*, That no producer or grower selling products of the farm, garden or dairy and not included within the definition of business under subsection (a), section two of this article shall be

required to obtain a business registration certificate or pay the business registration tax.

(6) A foreign retailer who is not a "retailer engaging in business in this state" as defined in section one, article fifteen-a of this chapter, who enters into an agreement with the Tax Commissioner to voluntarily collect and remit use tax on sales to West Virginia customers.

(e) *Money penalty*.—Any person required to obtain a business registration certificate under this section, who is exempt from payment of the tax, as provided in subsection (d) of this section, who does not obtain a registration certificate shall, in lieu of paying the penalty imposed by section nine of this article, pay a penalty of \$15 for each business location for which a certificate is needed: *Provided*, That application for business registration is made and the applicable money penalty tendered to the Tax Commissioner within ~~fifteen~~ 15 days after such person receives written notice from the Tax Commissioner that such person is required to obtain a business registration certificate.;

And,

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

Eng. Com. Sub. for House Bill 2451—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §8-40-1, §8-40-2, §8-40-3, §8-40-4, and §8-40-5; to further amend the code, by adding thereto to a new article designated §8-41-1 and §8-41-2 and to amend and reenact §8-13-4, §8-13-5, and §11-12-3 relating to small businesses; exempting independent contractors and sole proprietors from business licenses under certain requirements; establishing an amount of annual gross revenue for businesses to be exempt from business and occupation taxes and privilege taxes; facilitating the creation of home based businesses; providing for definitions; providing for permitted use; providing for reasonable regulations; providing for limited conditions; providing for review; providing for the amount of income before a business has to obtain a business license;

creating the Small Business Protection Act; providing intent and legislative findings; and providing a short title.

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

Engrossed Committee Substitute for House Bill 2451, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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, Willis, Woodrum, and Smith (Mr. President)—31.

The nays were: Garcia and Woelfel—2.

Absent: Boley—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 H. B. 2451) passed with its House of Delegates amended title.

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

Senator Tarr requested unanimous consent to suspend Joint Rule 3, which states in part " . . . the house in which it originated may amend such amendment and a motion therefor shall take precedence of a motion to concur", and concur in the House of Delegates amendments (*shown in the Senate Journal of today, pages 2857 and 2858*), as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 474, Ending diversity, equity, and inclusion programs.

Which consent was not granted, Senator Garcia objecting.

Senator Tarr then moved to suspend Joint Rule 3 and concur in the House of Delegates amendments, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 474, Ending diversity, equity, and inclusion programs.

Following discussion and a point of inquiry to the President, with resultant response thereto,

Senator Martin arose to a point of order stating debate had digressed to the discussion of a different bill rather than the motion in question.

Which point of order, the President ruled well taken as the motion to suspend a joint rule is not debatable.

The question now being on the adoption of the motion by Senator Tarr to suspend Joint Rule 3 and concur in the House of Delegates amendments to the bill (*shown in the Senate Journal of today, pages 2857 and 2858*), the same was put and prevailed.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 474, 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, 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, Willis, Woodrum, and Smith (Mr. President)—31.

The nays were: Garcia and Woelfel—2.

Absent: Boley—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 Com. Sub. for S. B. 474) passed with its title.

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

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. House Bill 2776, Requiring Department of Health to report positive Alpha Gal tests to CDC.

On motion of Senator Martin, the Senate refused to recede from its amendments to the bill.

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

Senator Tarr moved that the Senate reconsider its action by which in earlier proceedings tonight it adopted the motion to suspend Joint Rule 3 and concur in the House of Delegates amendments, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 474, Ending diversity, equity, and inclusion programs.

The bill still being in the possession of the Senate,

Senator Tarr moved the previous question.

Following points of inquiry to the President, with resultant responses thereto,

Senator Martin moved the previous question, which motion prevailed.

The previous question having been ordered, that being on the adoption of Senator Tarr's motion that the Senate reconsider its action by which in earlier proceedings tonight it adopted the motion to suspend Joint Rule 3 and concur in the House of Delegates amendments to the bill.

Senator Tarr then requested unanimous consent that the motion to suspend Joint Rule 3 and concur in the House of Delegates amendments to the bill be withdrawn.

Which consent was not granted, Senator Garcia objecting.

Senator Tarr then moved that the motion to suspend Joint Rule 3 and concur in the House of Delegates amendments to the bill be withdrawn.

The question being on the adoption of Senator Tarr's motion to withdraw the motion to suspend Joint Rule 3 and concur in the House of Delegates amendments to Engrossed Committee Substitute for Committee Substitute for Senate Bill 474, and on this question, Senator Garcia demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—1.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Tarr's motion to withdraw the motion to suspend Joint Rule 3 and concur in the House of Delegates amendments to the bill had prevailed.

Senator Tarr then moved that the Senate concur in the House of Delegates amendments to the bill (*shown in the Senate Journal of today, pages 2857 and 2858*).

Senator Martin moved the previous question.

Senator Garcia arose to a point of order stating that amendments to the House of Delegates amendments to Engrossed Committee Substitute for Committee Substitute for Senate Bill 474 had been filed.

Which point of order, the President ruled not well taken as the motion for the previous question is a nondebatable motion.

The question being on the adoption of Senator Martin's motion for the previous question, the same was put.

The roll being taken, the yeas were: Azinger, Barrett, Bartlett, 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, Willis, Woodrum, and Smith (Mr. President)—31.

The nays were: Garcia and Woelfel—2.

Absent: Boley—1.

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

The previous question having been ordered, that being on the adoption of Senator Tarr's motion that the Senate concur in the House of Delegates amendments to Engrossed Committee Substitute for Committee Substitute for Senate Bill 474, the same was put.

The roll being taken, the yeas were: Azinger, Barrett, Bartlett, 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, Willis, Woodrum, and Smith (Mr. President)—31.

The nays were: Garcia and Woelfel—2.

Absent: Boley—1.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Tarr's aforesated motion that the Senate concur in the House of Delegates amendments to the bill (*shown in the Senate Journal of today, pages 2857 and 2858*), had prevailed.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 474, as amended by the House of Delegates, was then put upon its passage.

Senator Martin moved the previous question, which motion prevailed.

The previous question having been ordered, that being on the passage of Engrossed Committee Substitute for Committee Substitute for Senate Bill 474, as amended by the House of Delegates.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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, Willis, Woodrum, and Smith (Mr. President)—31.

The nays were: Garcia and Woelfel—2.

Absent: Boley—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 Com. Sub. for S. B. 474) passed with its title.

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

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

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

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

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

On page 11, section 10, line 1, by striking out the words "When a vacancy occurs". and inserting in lieu thereof the words "Unless otherwise provided by charter provision or ordinance, when a vacancy shall occur";

And,

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 586—A Bill to amend and reenact §3-10-3, §3-10-4, §3-10-5, §3-10-6, §3-10-7, and §3-10-8 of the Code of West Virginia, 1931, as amended, to amend and reenact §8-5-10 of said Code; and to amend and reenact §50-1-6 of said Code; relating to requirements for filling vacancies in certain elected federal, state, county, and municipal offices; prohibiting the appointment of an individual to fill a vacant office if that person has not been a member of his or her registered political party for at least one year prior to the occurrence of the vacancy; providing that process to select candidates to fill state Senate and House of Delegates seats be governed by the party senatorial district executive committee or party delegate district executive committee, or in the case of a single-county senatorial or delegate district, by the county executive party, as applicable for the respective political party; authorizing the Governor to appoint an acting official to perform the duties of a constitutional officer until that office is filled by appointment; relating to filling vacancies in the office of magistrate; providing that vacancies in the office of magistrate with an unexpired term of more than two years are filled by subsequent nonpartisan judicial election held concurrently with the primary or general election, whichever occurs first; excluding vacancies in the office of magistrate from certain other provisions relating to process for filling vacancies;

authorizing prospective vacancy due to upcoming resignation or retirement of a magistrate to be filled by circuit judge or chief circuit judge; and requiring generally that partisan office appointments be made from the political party with which the individual vacating the office was affiliated at the time of the previous election for that office.

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

Engrossed Committee Substitute for Committee Substitute for Senate Bill 586, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—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 Com. Sub. for S. B. 586) passed with its House of Delegates amended title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, 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)—33.

The nays were: None.

Absent: Boley—1.

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 Com. Sub. for S. B. 586) takes effect from passage.

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 that that body had receded from its amendments to, and the passage as amended by deletion, of

Eng. Com. Sub. for Senate Bill 50, Requiring municipal elections to be held on same day as statewide elections.

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

Eng. Com. Sub. for Senate Bill 225, Expanding powers of National Park Service law-enforcement officers.

A message from the Clerk of the House of Delegates announced that that body had receded from its amendment to, and the passage as amended by deletion, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 275, Removing requirement school cooks or custodians have high school diploma or equivalent.

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

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments

to the House of Delegates amendments to, and the passage as amended, of

Eng. Com. Sub. for Senate Bill 581, Relating to school attendance and student participation in 4-H activities.

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

Eng. Com. Sub. for House Bill 2054, Relating to liability of vendors in private farmers markets.

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

Eng. Com. Sub. for House Bill 2347, Relating generally to the creation of mental hygiene regions by the Supreme Court of Appeals.

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

Eng. House Bill 2511, Relating to charitable bingo and alcohol sales and consumption while such bingo is taking places.

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

Eng. House Bill 2678, Relating to school zones of public or private schools.

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

Eng. House Bill 2942, Administration of the West Virginia Department of Environmental Protection Design-Build Pilot Program.

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

Eng. Com. Sub. for House Bill 2961, To amend the law concerning ownership and possession of real property.

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

Eng. Com. Sub. for House Bill 3000, Relating to agency changes and updates to the West Virginia Commercial Feed Law.

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

Eng. Com. Sub. for House Bill 3125, To remove restrictions from teachers receiving permanent teaching licenses.

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

Eng. House Bill 3162, Providing that causes of action under Chapter 46A of the Code of West Virginia survive the death of the party.

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

Eng. Com. Sub. for House Bill 3166, Requirements for School Safety Mapping Data.

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

Eng. Com. Sub. for House Bill 3209, To provide at least one counselor for every 250 students in public schools and public charter schools in this state.

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

Eng. House Bill 3263, Relating to providing notification of utility service disruption to its' customers.

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

Eng. House Bill 3277, Relating to defining terms for the West Virginia Hospital Finance Authority Act.

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

Eng. House Bill 3356, Supplemental Appropriation - Education - Hope Scholarship.

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

Eng. House Bill 3357, Supplemental Appropriation - Lottery Surplus - Hope Scholarship.

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

Eng. Com. Sub. for House Bill 3411, Relating to commissions; removing the legislative members; and eliminating expired commissions.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, to take effect August 1, 2025, of

Eng. House Bill 3513, Relating to standards of liability and insurance requirements in certain civil actions.

The Senate reconvened at 11:45 p.m. and again proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was added as a co-sponsor to the following resolution on April 11, 2025:

Senate Resolution 49: Senator Rucker.

At the request of Senator Martin, and by unanimous consent, the Clerk of the Senate was directed to submit communications, after bills have been examined, found truly enrolled, authenticated with signatures, and presented to His Excellency, the Governor, for his action, bills passed but not presented to him prior to adjournment of the regular sixty-day session of the Legislature, showing the date such bills so enrolled were presented to the Governor; said communications to be included in the final Journal, together with Governor's action on said bills.

In accordance with the foregoing unanimous consent request, 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
304-357-7900

April 14, 2025

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

Dear Governor Morrissey,

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. 198, Prohibiting creation, production, distribution, or possession of artificially generated child pornography;

S. B. 257, Providing protection for property owner when someone visiting private cemetery causes damage to property;

Com. Sub. for S. B. 270, Declaring sale and manufacture of firearms essential business during declared emergency;

Com. Sub. for Com. Sub. for S. B. 464, Creating license plate for recipients of Medal of Valor;

Com. Sub. for S. B. 485, Exempting West Virginia Secretary of State from competitive bidding process;

S. B. 496, Removing reflexology and other energy-based work from definition of "massage therapy";

S. B. 537, Establishing WV Mothers and Babies Pregnancy Support Program;

Com. Sub. for S. B. 565, Relating generally to practice of optometry;

Com. Sub. for S. B. 617, Discouraging gang activity;

Com. Sub. for S. B. 627, Removing prohibition against leasing state-owned pore spaces underlying lands designated as state parks;

S. B. 650, Relating to full-time interventionists;

LEE.CASSIS@WVSNAUTS.GOV

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

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

S. B. 738, Terminating Employee Suggestion Award Board;

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

Com. Sub. for S. B. 844, Exempting non-native quail and partridge from game farm requirement if owned for agricultural purposes;

Com. Sub. for S. B. 861, Updating references to reflect consolidation of Information Services and Communications Division into Office of Technology;

S. B. 862, Repealing antiquated language related to Voluntary Gilding Dome Check-Off Program;

S. B. 863, Removing reference to Information Services and Communications Division;

And,

S. B. 876, Terminating certain requirements for Tax Commissioner to submit reports, publish information, and provide notice;

These bills are presented to you on this day, April 14, 2025.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

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



**HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE**

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

April 14, 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 Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2013, Transfer of employees to classified exempt service;

Com. Sub. for H. B. 2067, West Virginia Firearms Liability Clarification Act;

Com. Sub. for H. B. 2152, Prompt Payment Act of 2025;

H. B. 2444, Relating to limiting financial records of limited video lottery permittees that are subject to examination by Lottery Commission;

H. B. 2484, Clarifying the probationary period for paid municipal firefighters.;

Com. Sub. for H. B. 2711, Relating to the repeal of the common law rule against perpetuities by extending it to 1,000 years for all trusts;

Com. Sub. for H. B. 2761, Relating generally to magistrate courts;

H. B. 2943, Administration of the West Virginia Hazardous Waste Management Act;

Com. Sub. for H. B. 2964, Amending residency requirements for regional airport boards;

Com. Sub. for H. B. 2897, Permitting the Legislative Auditor to conduct periodic performance and financial audits of the West Virginia Department of Education;

Com. Sub. for H. B. 3012, Relating to Lottery Money Distribution;

H. B. 3157, Relating to shortened procedure for road condition claims.



HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE

BUILDING 1, ROOM 1032
1800 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-4270
PHONE (304) 340-3200

Com. Sub. for H. B. 3342, Firearms Industry Nondiscrimination Act,

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

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

And,

H. B. 3456, Relating to the powers and duties of the Commissioner of the Division of Corrections and Rehabilitation regarding Stevens Correctional Center.

These bills are presented to you on this day, April 14, 2025.

Respectfully submitted,

Jeffrey Pack

Clerk of the House of Delegates

cc: The Honorable Lee Cassis
Clerk of the Senate

PRESENTED TO THE GOVERNOR

APR 14 2025

Time: _____



**HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE**

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

April 15, 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 Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2002, Establishing One Stop Shop Permitting Process;

H. B. 2003, Prohibiting Cell phones in class;

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

H. B. 2165, Allowing disabled purple heart recipients park free at municipal metered parking spaces;

Com. Sub. for H. B. 2167, Relating to public charter schools code provisions;

H. B. 2358, Relating to postmortem examinations;

Com. Sub. for H. B. 2499, Training course for principals in public schools; informing teachers of their rights and protections; IEP format;

Com. Sub. for H. B. 2718, Relating to creating a State Advisory Council on Establishing a Military College;

H. B. 2742, Relating to creating limited waiver from certificate of public convenience and necessity requirement for certain water or sewer services projects. ;

Com. Sub. for H. B. 2752, Relating to motorcycle safety;

H. B. 2773, Higher Ed Rules ;

H. B. 2867, Relating to Small Estates;

Com. Sub. for H. B. 2889, To permit a fairness hearing exemption to the registration requirements of the Uniform Securities Act. ;

H. B. 3080, Military Spouse hiring preference;

H. B. 3156, Create exemption for Legislature for reporting requirements in Shared Services Section;

H. B. 3162, Providing that causes of action under Chapter 46A of the Code of West Virginia survive the death of the party;

H. B. 3373, To extend and revise the sunset provision in the Tourism Development Act to December 31, 2030;

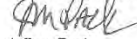
H. B. 3389, Exclude the Department of Tourism as a Governmental agency;

And,

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

These bills are presented to you on this day, April 15, 2025.

Respectfully submitted,



Jeffrey Pack
Clerk of the House of Delegates

cc: The Honorable Lee Cassis
Clerk of the Senate

PRESENTED TO THE GOVERNOR

APR 15 1975

Time

2:40pm



**HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE**

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

April 15, 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 Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2014, Certified Microgrid Program;

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

H. B. 2575, Relating to the establishment of a full-time Dementia Services Director position.;

Com. Sub. for H. B. 3024, Guaranteed course transfer bill;

H. B. 3349, Supplemental Appropriation - Medicaid

H. B. 3352, Supplemental Appropriation - Human Services - Medicaid

H. B. 3356, Supplemental Appropriation - Education - Hope Scholarship;

H. B. 3357, Supplemental Appropriation - Lottery Surplus - Hope Scholarship

H. B. 3359, Supplemental Appropriation - EDA and Medicaid Net Zero

H. B. 3360, Supplemental Appropriation - EDA Bridge Loan Fund

Com. Sub. for H. B. 3359, Supplemental Appropriation - Education - Enrollment

H. B. 3371, Supplemental Appropriation - - HLCF to OIG Net Zero

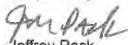
H. B. 3522, Supplemental Appropriation to Arts, Culture and History. ;

And,

Com. Sub. for H. B. 2026, Budget Bill.

These bills are presented to you on this day, April 15, 2025.

Respectfully submitted,



Jeffrey Pack
Clerk of the House of Delegates

cc: The Honorable Lee Cassis
Clerk of the Senate

PRESENTED TO THE GOVERNOR

APR 15 2025

Time 11:37am



HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE

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

April 15, 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 Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

H. B. 2120, Relating to forms and disclosures to the Ethics Commission;

And,

Com. Sub. for H. B. 2347, The Joel Archer Substance Abuse Intervention Act..

These bills are presented to you on this day, April 15, 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

[CLERK'S NOTE: Enrolled Committee Substitute for House Bill 2347 was inadvertently included on the preceding communication. The bill was not presented to the Governor until April 22, 2025.]

The Senate of West Virginia
Charleston

LEE CASSIDY
CLERK OF THE SENATE



SENATE CAPITOL ROOM M-211
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800
304-357-7800

April 17, 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. 1, Requiring utility work and road paving coordination;

Com. Sub. for S. B. 50, Requiring municipal elections to be held on same day as statewide elections;

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

Com. Sub. for S. B. 128, Preventing courts from ordering services at higher rate than Medicaid;

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

Com. Sub. for S. B. 299, Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment;

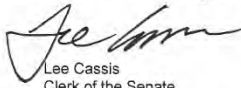
S. B. 561, Relating to Uniform Special Deposits Act;

And,

Com. Sub. for Com. Sub. for S. B. 652, Expanding cardiac arrest provisions to be applicable to elementary schools.

These bills are presented to you on this day, April 17, 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

The Senate of West Virginia
Charleston

LEE CASSIDY
CLERK OF THE SENATE



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

April 21, 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. 35, Permitting campus police officers to participate in Deputy Sheriffs Retirement System;

Com. Sub. for S. B. 102, Modifying form of certain deeds;

Com. Sub. for Com. Sub. for S. B. 154, Prohibiting sexual orientation instruction in public schools;

Com. Sub. for S. B. 196, Lauren's Law;

Com. Sub. for S. B. 225, Expanding powers of National Park Service law-enforcement officers;

Com. Sub. for S. B. 275, Removing requirement school cooks or custodians have high school diploma or equivalent;

Com. Sub. for S. B. 325, Authorizing Department of Health to promulgate legislative rules;

Com. Sub. for S. B. 427, Permitting certain teenagers to work without obtaining work permit;

Com. Sub. for S. B. 449, Permitting compressed air and rimfire shooting teams in public schools;

Com. Sub. for Com. Sub. for S. B. 474, Ending diversity, equity, and inclusion programs;

Com. Sub. for Com. Sub. for S. B. 531, Relating to offenses of assault and battery on athletic officials;

LEE.CASSIDY@WVSSENATE.GOV

Com. Sub. for S. B. 581, Relating to school attendance and student participation in 4-H activities;

And,

Com. Sub. for Com. Sub. for S. B. 587, Relating generally to government contracting.

These bills are presented to you on this day, April 21, 2025.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

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

The Senate of West Virginia
Charleston

LEE CASSIDY
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD, EAST
CHARLESTON, WV 25305-4000
304-357-7800

April 21, 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. 526, Creating Pharmacist Prescribing Authority Act;

Com. Sub. for S. B. 576, Authorizing fixed odds racing in horse and dog racing;

Com. Sub. for Com. Sub. for S. B. 586, Relating to requirements for filling vacancies in certain elected federal, state, and county offices;

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

Com. Sub. for S. B. 710, Relating to the practice of teledentistry;

S. B. 712, Relating to retirement provisions of systems managed by CPRB;

Com. Sub. for S. B. 722, Creating WV Short Line Railroad Modernization Act;

S. B. 747, Relating to Real Estate License Act;

Com. Sub. for Com. Sub. for S. B. 765, Establishing Troops-to-Teachers Program;

And,

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

LEE.CASSIDY@WVSUNATE.GOV

These bills are presented to you on this day, April 21, 2025.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

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

The Senate of West Virginia
Charleston

LEE CASSIDY
CLERK OF THE SENATE



STATE CAPITOL ROOM M-211
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-4800
304-357-7800

April 21, 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. 800, Relating to insurance holding company systems;

Com. Sub. for S. B. 825, Permitting higher education institutions enter agreements with non-profit organizations for economic development and job creation;

Com. Sub. for S. B. 833, Excluding pharmaceutical medication from prior authorization gold card process;

S. B. 837, Eliminating WV Office of Equal Opportunity;

S. B. 856, Removing certain reporting requirements to Joint Committee on Government and Finance;

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

S. B. 907, Relating to high impact development projects;

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;

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

And,

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

LEE.CASSIDY@WVSSENATE.GOV

These bills are presented to you on this day, April 21, 2025.

Respectfully submitted,


Lee Cassis
Clerk of the Senate

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



**HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE**

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

April 21, 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 Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2491, Relating to conditions on holding online raffles;

H. B. 3424, Removing language regarding short term loans being provided to released inmates for costs related to reentry into the community;

Com. Sub. for H. B. 3411, Relating to commissions; removing the legislative members; and eliminating expired commissions;

Com. Sub. for H. B. 3209, To provide at least one counselor for every 250 students in public schools and public charter schools in this state.;

H. B. 3187, Relating to the West Virginia Task Force on Artificial Intelligence;

Com. Sub. for H. B. 3179, Funding for failing public utilities;

Com. Sub. for H. B. 3166, Requirements for School Safety Mapping Data;

H. B. 3000, Relating to agency changes and updates to the West Virginia Commercial Feed Law.;

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

H. B. 2802, Relating to in-service training credits for law-enforcement officers;

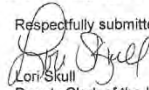
Com. Sub. for H. B. 2576, NIL Protection Act;

And,

H. B. 3434, Relating to the controlled substance schedules and to clean-up errors identified in the code sections.

These bills are presented to you on this day, April 21, 2025.

Respectfully submitted,



Lori Skull

Deputy Clerk of the House of Delegates

cc: The Honorable Lee Cassis
Clerk of the Senate

PRESENTED TO THE GOVERNOR

APR 21 2025

Time 11:55am

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



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

April 22, 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 President of the Senate and the Speaker of the House of Delegates, has been examined and found truly enrolled:

S. B. 280, Displaying official US motto in public schools.

This bill is presented to you on this day, April 22, 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



**HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE**

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

April 22, 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 Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2008, Executive Branch Reorganization ;

H. B. 2009, Relating to the merging and reorganizing of the executive branch;

Com. Sub. for H. B. 2066, Creating a crime for the destruction of first responder equipment ;

Com. Sub. for H. B. 2121, Deceased Disabled Veteran Real Property Exemption for Widowed Spouses;

Com. Sub. for H. B. 2123, Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse;

Com. Sub. for H. B. 2164, To allow for public and private schools in West Virginia to employ security personnel ;

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

H. B. 2344, Relating generally to traffic safety;

Com. Sub. for H. B. 2351, Relating to compensation for panel attorneys;

H. B. 2397, Prevent immediate family members from acting in a fiduciary capacity for the same governmental authority;

H. B. 2402, Relating to providing access to medical records; providing access to a minor's medical record;

Com. Sub. for H. B. 2411, To provide and change graduation requirements and change duties relating to academic content standards ;

Com. Sub. for H. B. 2434, Relating to establishing the Stop Squatters Act,

Com. Sub. for H. B. 2451, To facilitate the creation of home-based businesses;

H. B. 2479, Relating to Management and control of county authority vested in board,

H. B. 2511, Relating to charitable bingo and alcohol sales and consumption while such bingo is taking places;

Com. Sub. for H. B. 2528, To permit students in Christian schools at the elementary and middle school level to participate in county level sport tournaments;

Com. Sub. for H. B. 2595, Non Profit Athletics Act;

Com. Sub. for H. B. 2695, Raleigh and Mason Counties Economic Opportunity Development Districts;

Com. Sub. for H. B. 2755, To provide that the West Virginia Board of Education may promulgate rules or policies to be submitted to the Legislature for review;

Com. Sub. for H. B. 2960, Allowing the Division of Highways to contract out snow removal to private companies on secondary roads in Monongalia and Preston counties.;

H. B. 2678, Relating to school zones of public or private schools;

Com. Sub. for H. B. 2797, Relating to who may diagnose post-traumatic stress disorder as a compensable injury or disease under workers compensation;

Com. Sub. for H. B. 2836, Relating to wild animal rehabilitation permits;

Com. Sub. for H. B. 2866, Relating to fees and charges for municipality provided fire services;

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

Com. Sub. for H. B. 2880, Relating to parent resource navigators;

H. B. 2942, Administration of the West Virginia Department of Environmental Protection Design-Build Pilot Program;

Com. Sub. for H. B. 2963, To ensure that the survivor of a merger, reorganization, purchase, or assumption of liabilities of a bank chartered by West Virginia is insured by the Federal Deposit Insurance Corporation;

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

Com. Sub. for H. B. 3016, Photo voter ID;

Com. Sub. for H. B. 3125, To remove restrictions from teachers receiving permanent teaching licenses;

Com. Sub. for H. B. 3133, Permitting counties and municipalities to enter into memoranda of understanding for demolition of dilapidated structures;

Com. Sub. for H. B. 3144, Wireless Infrastructure and Facilities Siting and Co-location;

Com. Sub. for H. B. 3152, Claims Bill;

Com. Sub. for H. B. 3164, Requiring registered sex offenders pay annual fee ;

Com. Sub. for H. B. 3181, Allow all law enforcement officers to purchase gun upon retirement;

H. B. 3263, Relating to providing notification of utility service disruption to its' customers;

H. B. 3272, Relating to eviction proceedings;

H. B. 3274, Relating to reports of circuit court proceedings;

H. B. 3275, Update timing for appeals;

H. B. 3277, Relating to defining terms for the West Virginia Hospital Finance Authority Act;

Com. Sub. for H. B. 3279, Relating to requirements for WVU and WVSU Board of Governors;

Com. Sub. for H. B. 3297, Establishing the Washington Center for Civics, Culture, and Statesmanship at West Virginia University;

Com. Sub. for H. B. 3336, Well Plugging methods;

Com. Sub. for H. B. 3338, Allow child witness testify remotely in situations deemed traumatic by judge;

Com. Sub. for H. B. 3440, Relating generally to removing and repealing obsolete provisions under the purview of the State Treasurer's Office;

Com. Sub. for H. B. 3429, Prequalifying consultants for WVDEP- Abandon Mine Lands;

Com. Sub. for H. B. 3444, Relating to inflammation of the eyes of newborns.;

H. B. 3492, Relating to municipal economic opportunity development districts. ;

H. B. 3503, Relating to regulation by counties, municipalities, and political subdivisions of commercial horticulture under the Water Pollution Control Act;

H. B. 3504, Relating to protecting critical infrastructure; and defining terms;

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

And,

H. B. 3517, Relating generally to fiscal emergencies of local governments.

These bills are presented to you on this day, April 22, 2025.

Respectfully submitted,



Lori Skull

Deputy Clerk of the House of Delegates

cc: The Honorable Lee Cassis
Clerk of the Senate

PRESENTED TO THE GOVERNOR

APR 22 2025

Time 12:00 pm



**HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE**

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

April 28, 2025

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

Dear Governor Morrissey,

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. 3111, To provide pay increases to members of the judiciary.

This bill is presented to you on this day, April 28, 2025.

Respectfully submitted,

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

Jeffrey Pack
Clerk of the House of Delegates

cc: The Honorable Lee Cassis
Clerk of the Senate

PRESENTED TO THE GOVERNOR

APR 28 2025

Time 3:17 PM

Executive Communications

Under authorization of Senate approval therefor in prior proceedings today, to include in this day's Journal communications showing the Governor's action on enrolled bills presented to him in post-session reports, the following are inserted hereinafter:



Patrick Morrisey
Governor of West Virginia

April 15, 2025

The Honorable Kris Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. One Hundred Ninety-Nine (199), which was presented to me on April 8, 2025.

Committee Substitute for Senate Bill No. Two Hundred Eighty-Two (282), which was presented to me on April 8, 2025.

You will note that I have approved these bills on April 15, 2025.

Sincerely,

A handwritten signature in blue ink that reads "PATRICK MORRISSEY".

Patrick Morrisey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk
The Honorable Jeff Pack, Clerk



Patrick Morrisey
Governor of West Virginia

April 17, 2025

The Honorable Kris Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Two Thousand Eleven (2011), which was presented to me on April 15, 2025.

House Bill No. Three Thousand Three Hundred Forty-Seven (3347), which was presented to me on April 10, 2025.

House Bill No. Three Thousand Three Hundred Forty-Nine (3349), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Three Thousand Three Hundred Fifty (3350), which was presented to me on April 14, 2025.

House Bill No. Three Thousand Three Hundred Fifty-Two (3352), which was presented to me on April 15, 2025.

House Bill No. Three Thousand Three Hundred Fifty-Six (3356), which was presented to me on April 15, 2025.

House Bill No. Three Thousand Three Hundred Fifty-Seven (3357), which was presented to me on April 15, 2025.

House Bill No. Three Thousand Three Hundred Fifty-Eight (3358), which was presented to me on April 10, 2025.

House Bill No. Three Thousand Three Hundred Fifty-Nine (3359), which was presented to me on April 15, 2025.

House Bill No. Three Thousand Three Hundred Sixty (3360), which was presented to me on April 15, 2025.

House Bill No. Three Thousand Three Hundred Sixty-One (3361), which was presented to me on April 14, 2025.

House Bill No. Three Thousand Three Hundred Sixty-Three (3363), which was presented to me on April 10, 2025.

House Bill No. Three Thousand Three Hundred Sixty-Five (3365), which was presented to me on April 10, 2025.

House Bill No. Three Thousand Three Hundred Sixty-Six (3366), which was presented to me on April 10, 2025.

House Bill No. Three Thousand Three Hundred Sixty-Seven (3367), which was presented to me on April 10, 2025.

House Bill No. Three Thousand Three Hundred Sixty-Eight (3368), which was presented to me on April 10, 2025.

Committee Substitute for House Bill No. Three Thousand Three Hundred Sixty-Nine (3369), which was presented to me on April 15, 2025.

House Bill No. Three Thousand Three Hundred Seventy (3370), which was presented to me on April 10, 2025.

House Bill No. Three Thousand Three Hundred Seventy-One (3371), which was presented to me on April 15, 2025.

House Bill No. Three Thousand Three Hundred Seventy-Two (3372), which was presented to me on April 10, 2025.

House Bill No. Three Thousand Five Hundred Twenty-Two (3522), which was presented to me on April 15, 2025.

You will note that I have approved these bills on April 17, 2025.

Sincerely,


Patrick Morrisey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk
The Honorable Jeff Pack, Clerk



Patrick Morrisey
Office of the Governor

April 17, 2025

VIA HAND DELIVERY

The Honorable Kris Warner
Secretary of State
Building 1, Suite 157-K
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

RE: Enrolled Committee Substitute for House Bill 2026

Dear Secretary Warner:

Many tough fiscal decisions have been made in finalizing the FY 2026 budget, which seeks to right-size our ongoing base expenditures in General Revenue and Lottery funds. This includes maintaining a strong level of budgetary reserves, limiting the growth rate of the base, and committing to address long-term liabilities. The use of long-term budget planning, through the State's Six Year Financial Plan, highlights the need for continued conservative budget planning. With likely fiscal challenges involving Medicaid, PEIA, and potential changes to the federal tax code, it's imperative for West Virginia to maintain fiscal responsibility and flexibility in decision making.

Pursuant to the provisions of section fifty-one, article VI of the Constitution of West Virginia, I hereby return Enrolled Committee Substitute for House Bill 2026, passed April 11, 2025, approved with the following objections:

My first objection to the Bill is contained in page 4, lines 68 through 72, which states:

"Provided further, Notwithstanding any previous provision no general revenue funds appropriated to the following funds 0403, 0481, 0482, 0483, 0484, 0485, 0486, 0487, 0488, 0489, 0492, 0493, 0494, 0495 and 0496 within the Department of Human Services may be transferred between the aforementioned funds:"

I am advised that this insertion of new language will be overly burdensome and restrictive for the operation of the Department of Human Services. Therefore, I am striking the language beginning on line 68 and ending on line 72. This will allow the Department to efficiently allocate resources during the fiscal year.

My second objection to the Bill is contained in Item 7, page 14, line 2, which states:

"Local Economic Development Assistance (R) 81900 5,000,000"

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000

Secretary of State Warner
 April 17, 2025
 Page 2

This appropriation has a significant reappropriated balance from previous fiscal years. In addition, as most state agencies are sharing in some of the sacrifices of lower spending, it is only appropriate for the legislative branch to also sacrifice some of their grant-making resources. Therefore, I am reducing the appropriation by \$100,000 to \$4,900,000.

My third objection to the Bill is contained in Item 10, page 18, lines 38 through 39, which states:

“From the above appropriation for Current Expenses (fund 0131, appropriation 13000) \$100,000 shall be used for the Willowbend Agricultural Innovation Center.”

This directive language -- which I am striking in its entirety -- appropriates money needed by the Agriculture Commissioner for its operations. I have directed our office to work with Willowbend to address its budgetary needs.

My fourth objection to the Bill is contained in Item 44, page 35, line 4, which states:

“Tourism – Industry Development (R) 61806 3,050,000”

A cautious and prudent approach must be taken to avoid building the State's base budget. Therefore, I am reducing the appropriation by \$300,000 to \$2,750,000.

My fifth objection to the Bill is contained in Item 44, page 35, lines 16 through 17, which states:

“, and \$300,000 shall be used for Mountwood Park”

To keep in line with the reduction made to this appropriation above, I am also eliminating the associated directive language for fund 0246, appropriation 61806, regarding Mountwood Park. This provision was inserted into the budget bill, however, no supporting documentation was provided to the Executive to justify the expenditure.

My sixth objection to the Bill is contained in Item 46, page 37, line 5, which states:

“Current Expenses 13000 1,639,624”

At a time when we are facing ongoing budget challenges, it is imperative that we take steps to limit new spending. Therefore, I am reducing the appropriation by \$500,000 to \$1,139,624.

My seventh objection to the Bill is contained in Item 46, page 37, line 10, which states:

“From the above appropriation for Current Expenses (fund 0296, appropriation 13000) \$1,500,000 shall be used for the Martinsburg Berkeley Public Library.”

To keep in-line with the reduction made to this appropriation above, I am also reducing the associated directive language for fund 0296, appropriation 13000, by \$500,000 to \$1,000,000.

Secretary of State Warner
 April 17, 2025
 Page 3

My eighth objection to the Bill is contained in Item 49, page 38, line 6, which states:

"Safe Schools..... 14300 7,443,900"

At a time when we are facing ongoing budget challenges, it is imperative that we take steps to limit new spending. Therefore, I am reducing the appropriation by \$200,000 to \$7,243,900.

My ninth objection to the Bill is contained in Item 49, page 39, line 22, which states:

"Computer Science Education XXXXX 2,000,000"

This is a new program for which a necessary level of appropriation has not yet been established. In light of this uncertainty and the ongoing budget challenges we are facing, a cautious and prudent approach must be taken to avoid unnecessarily increasing the State's base budget. Therefore, I am reducing the appropriation by \$1,400,000 to \$600,000.

My tenth objection to the Bill is contained in Item 49, page 39, line 29, which states:

"Mountain State Digital Literacy Program 86401 1,300,000"

At a time when we are facing ongoing budget challenges, it is imperative that we take steps to limit new spending. Therefore, I am reducing the appropriation by \$300,000 to \$1,000,000.

My eleventh objection to the Bill is contained in Item 49, page 41, lines 63 through 64, which states:

"From the appropriation for Safe Schools (fund 0313, appropriation 14300), \$3,100,000 shall be used for school mapping."

To keep in-line with the reduction made to this appropriation above, I am also reducing "\$3,100,000" to "\$2,900,000" in the directive language under fund 0313.

My twelfth objection to the Bill is contained in Item 49, page 41, lines 65 through 66, which states:

"From the above appropriation for MATH Program (fund 0313, appropriation 36800), \$50,000 shall be for Math Counts."

This directive language does not reflect my original recommendation. Therefore, I am eliminating the directive language for fund 0313, appropriation 36800 regarding Math Counts.

My thirteenth objection to the Bill is contained in Item 58, page 46, line 5, which states:

"Current Expenses 13000 5,239,831"

Secretary of State Warner
 April 17, 2025
 Page 4

At a time when we are facing ongoing budget challenges, it is imperative that we take steps to limit new spending. Therefore, I am reducing the appropriation by \$3,000,000 to \$2,239,831. This is the same amount as my original recommendation.

My fourteenth objection to the Bill is contained in Item 58, page 47, lines 10 through 11, which states:

"From the above appropriation for Current Expenses (fund 0407, appropriation 13000), \$5,000,000 shall be used for the Ronald McDonald House of Morgantown."

To keep in line with the reduction made to the appropriation above, I am reducing the directive language for fund 0407, appropriation 13000 by \$3,000,000 to \$2,000,000.

My fifteenth objection to the Bill is contained in Item 81, page 56, line 14, which states:

"In-Home Family Education 68800 1,100,000"

At a time when we are facing ongoing budget challenges, it is imperative that we take steps to limit new spending. Therefore, I am reducing the appropriation by \$100,000 to \$1,000,000.

My sixteenth objection to the Bill is contained in Item 81, page 56, lines 28 through 29, which states:

"From the above appropriation of Current Expenses (fund 0403, appropriation 13000), \$300,000 shall be used for Green Acres Regional Center, Inc."

This provision was inserted into the budget bill, however, no supporting documentation was provided to the Executive to justify the expenditure. Therefore, I am striking it in its entirety.

My seventeenth objection to the Bill is contained in Item 112, page 78, line 7, which states:

"Trooper Class..... 52100 3,227,388"

In consultation with the State Police, and as a good steward of the taxpayer's dollars, I am restoring the appropriation back to my original recommendation. Therefore, I am reducing the appropriation by \$161,172 to \$3,066,216.

My eighteenth objection to the Bill is contained in Item 115, page 80, line 5, which states:

"Court Appointed Special Advocates..... XXXXX 1,100,000"

This program has primarily been funded by state and federal grants. In light of the ability to obtain grants and the ongoing budget challenges we are facing, a cautious and prudent approach must be taken to avoid building the State's base budget. Therefore, I am reducing the appropriation by \$800,000 to \$300,000.

Secretary of State Warner
 April 17, 2025
 Page 5

My nineteenth objection to the Bill is contained in Item 123, page 84, line 5, which states:

"Federal Funds/Grant Match.....	74900	1,250,000"

At a time when we are facing ongoing budget challenges, it is imperative that we take steps to limit new spending. Therefore, I am reducing the appropriation by \$500,000 to \$750,000.

My twentieth objection to the Bill is contained in Item 126, page 86, line 8, which states:

"Veterans' Nursing Home (R).....	28600	11,443,175"

In my budget adjustment letter submitted to the Legislature on March 27, 2025, I recommended a net zero adjustment. A necessary reduction was not reflected in House Bill 2026. Therefore, I am reducing the appropriation by \$187,650 to \$11,255,525.

My twenty-first objection to the Bill is contained in Item 139, page 90, line 7, which states:

"Tuition Contract Program (R).....	16500	1,533,917"

At a time when we are facing ongoing budget challenges, it is imperative that we take steps to limit new spending. Therefore, I am reducing the appropriation by \$208,000 to \$1,325,917.

My twenty-second objection to the Bill is contained in Item 139, page 91, line 16, which states:

"West Virginia University College of Law.....	XXXXX	250,000"

This provision was inserted into the budget bill, however, no supporting documentation was provided to the Executive to justify the expenditure. Therefore, I am reducing the appropriation by \$250,000 to \$0.

My twenty-third objection to the Bill is contained in Item 151, page 96, line 3, which states:

"LPN to BSN.....	XXXXX	250,000"

This provision was inserted into the budget bill, however, no supporting documentation was provided to the Executive to justify the expenditure. Therefore, I am reducing the appropriation by \$250,000 to \$0.

My twenty-fourth objection to the Bill is contained in Item 156, page 99, line 4, which states:

"Maintenance.....	23700	700,235,315"

This modification will bring State Road Fund appropriations more in line with estimated collections. Therefore, I am reducing the appropriation by \$25,000,000 to \$675,235,315.

My twenty-fifth objection to the Bill is contained in Item 318, page 158 which states:

Secretary of State Warner
 April 17, 2025
 Page 6

"Higher Education Policy Commission –

Military College Advisory Council Fund

(W.V. Code Chapter 18B)

Fund XXXX FY 2026 Org 0442"

The above org number references "0442" which is the System branch of the Higher Education Policy Commission, which is typically responsible for capital projects and facility needs. House Bill 2718 states that this new fund is for the State Advisory Council on Establishing a Military College, which would fall under Higher Education Policy Commission – Administration, org number "0441". Therefore, I hereby disapprove and strike the org number "0442".

My twenty-sixth objection to the Bill is contained in Item 434, page 214, line 1, which states:

"Direct Transfer - Surplus..... 70099 \$ 125,000,000"

I am reducing this surplus appropriation by \$25,000,000 to \$100,000,000 to retain the ability of the State to address likely fiscal challenges involving Medicaid, PEIA, and potential changes to the federal tax code.

My twenty-seventh objection to the Bill is contained in Item 435, page 214, line 1, which states:

"Directed Transfer - Surplus..... 70099 \$ 75,000,000"

Currently the Economic Development Project Fund, where this surplus appropriation was to be transferred, has a sufficient cash and investment balance. A cautious and prudent approach must be taken to avoid spending the State's surplus balances due to anticipated out-year budget gaps and to address likely fiscal challenges involving Medicaid, PEIA, and potential changes to the federal tax code. Therefore, I am reducing the appropriation by \$75,000,000 to \$0.

My twenty-eighth objection to the Bill is contained in Item 436, page 214, line 1, which states:

"Directed Transfer - Surplus..... 70099 \$ 10,000,000"

A cautious and prudent approach must be taken to avoid spending the State's surplus balances due to anticipated out-year budget gaps and to address likely fiscal challenges involving Medicaid, PEIA, and potential changes to the federal tax code. Therefore, I am reducing the appropriation by \$10,000,000 to \$0.

My twenty-ninth objection to the Bill is contained in Item 437, page 215, line 1, which states:

Secretary of State Warner
April 17, 2025
Page 7

"Current Expense - Surplus 13099 \$ 250,000"

While the above projects may be of worth, I am hesitant to add funding for programs when the future challenges in West Virginia's budget make it imperative that a cautious and prudent approach be taken to avoid spending the State's surplus balances due to anticipated out-year budget gaps and to address likely fiscal challenges involving Medicaid, PEIA, and potential changes to the federal tax code. Therefore, I am reducing the appropriation by \$250,000 to \$0.

For the reasons stated herein, I have approved, subject to the above objections, Enrolled Committee Substitute for House Bill 2026.

Sincerely,



Patrick Morrisey
Governor

cc: The Hon. Roger Hanshaw
Speaker, West Virginia House of Delegates

The Hon. Randy Smith
President, West Virginia Senate



Patrick Morrisey
Governor of West Virginia

April 24, 2025

The Honorable Kris Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. One (1), which was presented to me on April 17, 2025.

Committee Substitute for Senate Bill No. Thirty-Five (35), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Fifty (50), which was presented to me on April 17, 2025.

Senate Bill No. Seventy-Five (75), which was presented to me on April 17, 2025.

Committee Substitute for Senate Bill No. One Hundred Two (102), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. One Hundred Ninety-Six (196), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. One Hundred Ninety-Eight (198), which was presented to me on April 14, 2025.

Senate Bill No. Two Hundred Fifty-Seven (257), which was presented to me on April 14, 2025.

Committee Substitute for Senate Bill No. Two Hundred Seventy-Five (275), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Four Hundred Twenty-Seven (427), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Four Hundred Forty-Nine (449), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Four Hundred Fifty-Nine (459), which was presented to me on April 9, 2025.

Committee Substitute for Committee Substitute for Senate Bill No. Four Hundred Sixty-Four (464), which was presented to me on April 14, 2025.

Senate Bill No. Four Hundred Ninety-Six (496), which was presented to me on April 14, 2025.

Committee Substitute for Senate Bill No. Five Hundred (500), which was presented to me on April 10, 2025.

Committee Substitute for Senate Bill No. Five Hundred Twenty-Two (522), which was presented to me on April 8, 2025.

Committee Substitute for Senate Bill No. Five Hundred Twenty-Five (525), which was presented to me on April 8, 2025.

Committee Substitute for Senate Bill No. Five Hundred Twenty-Six (526), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Five Hundred Seventy-Three (573), which was presented to me on April 9, 2025.

Committee Substitute for Senate Bill No. Five Hundred Eighty-One (581), which was presented to me on April 21, 2025.

Committee Substitute for Committee Substitute for Senate Bill No. Five Hundred Eighty-Seven (587), which was presented to me on April 21, 2025.

Senate Bill No. Six Hundred Fifteen (615), which was presented to me on April 10, 2025.

Committee Substitute for Senate Bill No. Six Hundred Seventeen (617), which was presented to me on April 14, 2025.

Committee Substitute for Senate Bill No. Six Hundred Twenty-Seven (627), which was presented to me on April 14, 2025.

Senate Bill No. Six Hundred Fifty (650), which was presented to me on April 14, 2025.

Committee Substitute for Committee Substitute for Senate Bill No. Six Hundred Fifty-Two (652), which was presented to me on April 17, 2025.

Committee Substitute for Senate Bill No. Seven Hundred Ten (710), which was presented to me on April 21, 2025.

Senate Bill No. Seven Hundred Twelve (712), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Seven Hundred Fifteen (715), which was presented to me on April 10, 2025.

Senate Bill No. Seven Hundred Sixteen (716), which was presented to me on April 10, 2025.

Senate Bill No. Seven Hundred Twenty-Seven (734), which was presented to me on April 14, 2025.

Committee Substitute for Senate Bill No. Seven Hundred Thirty-Six (736), which was presented to me on April 14, 2025.

Senate Bill No. Seven Hundred Thirty-Eight (738), which was presented to me on April 14, 2025.

Committee Substitute for Senate Bill No. Seven Hundred Ninety-Four (794), which was presented to me on April 21, 2025.

You will note that I have approved these bills on April 24, 2025.

Sincerely,



Patrick Morrissey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk
The Honorable Jeff Pack, Clerk



Patrick Morrissey
Office of the Governor

April 25, 2025

The Honorable Kris Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. One Hundred Twenty-Eight (128), which was presented to me on April 17, 2025.

Committee Substitute for Senate Bill No. Two Hundred Sixty-Seven (267), which was presented to me on April 9, 2025.

Committee Substitute for Senate Bill No. Two Hundred Seventy (270), which was presented to me on April 14, 2025.

Senate Bill No. Seven Hundred Forty-Seven (747), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Eight Hundred (800), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Eight Hundred Twenty-Five (825), which was presented to me on April 21, 2025.

Senate Bill No. Eight Hundred Twenty-Eight (828), which was presented to me on April 9, 2025.

Committee Substitute for Senate Bill No. Eight Hundred Thirty-Three (833), which was presented to me on April 21, 2025.

Senate Bill No. Eight Hundred Thirty-Seven (837), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Eight Hundred Forty-Four (844), which was presented to me on April 14, 2025.

Senate Bill No. Eight Hundred Fifty-Six (856), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Eight Hundred Sixty-One (861), which was presented to me on April 14, 2025.

Senate Bill No. Eight Hundred Sixty-Two (862), which was presented to me on April 14, 2025.

Senate Bill No. Eight Hundred Sixty-Three (863), which was presented to me on April 14, 2025.

Senate Bill No. Eight Hundred Seventy-Six (876), which was presented to me on April 14, 2025.

Committee Substitute for Senate Bill No. Eight Hundred Eighty-Three (883), which was presented to me on April 21, 2025.

Senate Bill No. Nine Hundred Seven (907), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Nine Hundred Twelve (912), which was presented to me on April 21, 2025.

Senate Bill No. Nine Hundred Forty-Two (942), which was presented to me on April 21, 2025.

Committee Substitute for House Bill No. Two Thousand Eight (2008), which was presented to me on April 22, 2025.

House Bill No. Two Thousand Nine (2009), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Thirteen (2013), which was presented to me on April 14, 2025.

Committee Substitute for House Bill No. Two Thousand Forty-Two (2042), which was presented to me on April 10, 2025.

Committee Substitute for House Bill No. Two Thousand Sixty-Seven (2067), which was presented to me on April 14, 2025.

Committee Substitute for House Bill No. Two Thousand One Hundred Twenty-Three (2123), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand One Hundred Fifty-Two (2152), which was presented to me on April 14, 2025.

Committee Substitute for House Bill No. Two Thousand One Hundred Fifty-Seven (2157), which was presented to me on April 10, 2025.

House Bill No. Two Thousand One Hundred Sixty-Five (2165), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Two Thousand One Hundred Sixty-Seven (2167), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Two Thousand One Hundred Seventy-Two (2172), which was presented to me on April 10, 2025.

House Bill No. Two Thousand Two Hundred Seventeen (2217), which was presented to me on April 10, 2025.

Committee Substitute for House Bill No. Two Thousand Two Hundred Thirty-Three (2233), which was presented to me on April 10, 2025.

Committee Substitute for House Bill No. Two Thousand Three Hundred Thirty-One (2331), which was presented to me on April 10, 2025.

House Bill No. Two Thousand Three Hundred Forty-Four (2344), which was presented to me on April 22, 2025.

House Bill No. Two Thousand Three Hundred Fifty-Eight (2358), which was presented to me on April 15, 2025.

House Bill No. Two Thousand Three Hundred Sixty (2360), which was presented to me on April 10, 2025.

House Bill No. Two Thousand Three Hundred Ninety-Seven (2397), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Three Hundred Ninety-Nine (2399), which was presented to me on April 10, 2025.

House Bill No. Two Thousand Four Hundred Two (2402), which was presented to me on April 22, 2025.

House Bill No. Two Thousand Four Hundred Forty-Four (2444), which was presented to me on April 14, 2025.

House Bill No. Two Thousand Four Hundred Seventy-Nine (2479), which was presented to me on April 22, 2025.

House Bill No. Two Thousand Four Hundred Eighty-Four (2484), which was presented to me on April 14, 2025.

House Bill No. Two Thousand Six Hundred Seventy-Eight (2678), which was presented to me on April 22, 2025.

House Bill No. Two Thousand Seven Hundred Nine (2709), which was presented to me on April 10, 2025.

Committee Substitute for House Bill No. Two Thousand Seven Hundred Eleven (2711), which was presented to me on April 14, 2025.

Committee Substitute for House Bill No. Two Thousand Seven Hundred Eighteen (2718), which was presented to me on April 15, 2025.

House Bill No. Two Thousand Seven Hundred Forty-Two (2742), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Two Thousand Seven Hundred Fifty-Two (2752), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Two Thousand Seven Hundred Sixty-One (2761), which was presented to me on April 14, 2025.

House Bill No. Two Thousand Seven Hundred Seventy-Three (2773), which was presented to me on April 15, 2025.

House Bill No. Two Thousand Eight Hundred Two (2802), which was presented to me on April 21, 2025.

House Bill No. Two Thousand Eight Hundred Sixty-Seven (2867), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Seventy-One (2871), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Ninety-Seven (2897), which was presented to me on April 14, 2025.

House Bill No. Two Thousand Nine Hundred Forty-Two (2942), which was presented to me on April 22, 2025.

House Bill No. Two Thousand Nine Hundred Forty-Three (2943), which was presented to me on April 14, 2025.

Committee Substitute for House Bill No. Two Thousand Nine Hundred Sixty-Four (2964), which was presented to me on April 14, 2025.

House Bill No. Three Thousand Thirty (3030), which was presented to me on April 10, 2025.

House Bill No. Three Thousand Eighty (3080), which was presented to me on April 15, 2025.

House Bill No. Three Thousand Eighty-Nine (3089), which was presented to me on April 10, 2025.

Committee Substitute for House Bill No. Three Thousand One Hundred Twenty-Five (3125), which was presented to me on April 22, 2025.

House Bill No. Three Thousand One Hundred Fifty-Six (3156), which was presented to me on April 15, 2025.

House Bill No. Three Thousand One Hundred Fifty-Seven (3157), which was presented to me on April 14, 2025.

House Bill No. Three Thousand One Hundred Eighty-Seven (3187), which was presented to me on April 21, 2025.

House Bill No. Three Thousand Three Hundred Thirteen (3313), which was presented to me on April 10, 2025.

Committee Substitute for House Bill No. Three Thousand Three Hundred Forty-Two (3342), which was presented to me on April 14, 2025.

Committee Substitute for House Bill No. Three Thousand Three Hundred Thirty-Six (3336), which was presented to me on April 22, 2025.

House Bill No. Three Thousand Three Hundred Seventy-Three (3373), which was presented to me on April 15, 2025.

House Bill No. Three Thousand Three Hundred Eighty-Nine (3389), which was presented to me on April 15, 2025.

House Bill No. Three Thousand Four Hundred Thirty-Four (3434), which was presented to me on April 21, 2025.

Committee Substitute for House Bill No. Three Thousand Four Hundred Forty (3440), which was presented to me on April 22, 2025.

House Bill No. Three Thousand Five Hundred Thirteen (3513), which was presented to me on April 15, 2025.

House Bill No. Three Thousand Five Hundred Fifteen (3515), which was presented to me on April 22, 2025.

You will note that I have approved these bills on April 25, 2025.

Sincerely,



Patrick Morrisey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk
The Honorable Jeff Pack, Clerk



Patrick Morrissey
Office of the Governor

April 28, 2025

The Honorable Kris Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Three Hundred Twenty-Five (325), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Five Hundred Seventy-Six (576), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Six Hundred Seventy-Seven (677), which was presented to me on April 21, 2025.

Senate Bill No. Nine Hundred Forty-One (941), which was presented to me on April 21, 2025.

Committee Substitute for House Bill No. Two Thousand Fifty-Four (2054), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Two Thousand One Hundred Twenty-One (2121), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Two Hundred Sixty-Seven (2267), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Four Hundred Fifty-One (2451), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Four Hundred Ninety-One (2491), which was presented to me on April 21, 2025.

House Bill No. Two Thousand Five Hundred Eleven (2511), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Five Hundred Twenty-Eight (2528), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Six Hundred Ninety-Five (2695), which was presented to me on April 22, 2025.

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000

Committee Substitute for House Bill No. Two Thousand Seven Hundred Ninety-Seven (2797), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Thirty-Six (2836), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Sixty-Six (2866), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Nine Hundred Sixty-One (2961), which was presented to me on April 21, 2025.

House Bill No. Three Thousand (3000), which was presented to me on April 21, 2025.

Committee Substitute for House Bill No. Three Thousand One Hundred Thirty-Three (3133), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Three Thousand One Hundred Fifty-Two (3152), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Three Thousand One Hundred Sixty-Four (3164), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Three Thousand One Hundred Eighty-One (3181), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Three Thousand Two Hundred Nine (3209), which was presented to me on April 21, 2025.

House Bill No. Three Thousand Two Hundred Seventy-Two (3272), which was presented to me on April 22, 2025.

House Bill No. Three Thousand Two Hundred Seventy-Four (3274), which was presented to me on April 22, 2025.

House Bill No. Three Thousand Two Hundred Seventy-Five (3275), which was presented to me on April 22, 2025.

House Bill No. Three Thousand Two Hundred Seventy-Seven (3277), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Three Thousand Three Hundred Thirty-Eight (3338), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Three Thousand Four Hundred Eleven (3411), which was presented to me on April 21, 2025.

House Bill No. Three Thousand Four Hundred Twenty-Four (3424), which was presented to me on April 21, 2025.

Committee Substitute for House Bill No. Three Thousand Four Hundred Twenty-Nine (3429), which was presented to me on April 22, 2025.

House Bill No. Three Thousand Five Hundred Four (3504), which was presented to me on April 22, 2025.

House Bill No. Three Thousand Four Hundred Fifty-Six (3456), which was presented to me on April 14, 2025.

You will note that I have approved these bills on April 28, 2025.

Sincerely,



Patrick Morrisey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk
The Honorable Jeff Pack, Clerk



Patrick Morrisey
Office of the Governor

April 29, 2025

The Honorable Kris Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Two Hundred Twenty-Five (225), which was presented to me on April 21, 2025.

Senate Bill No. Two Hundred Eighty (280), which was presented to me on April 22, 2025.

Committee Substitute for Senate Bill No. Three Hundred Sixty-Nine (369), which was presented to me on April 9, 2025.

Committee Substitute for Committee Substitute for Senate Bill No. Five Hundred Eighty-Six (586), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Nine Hundred Fourteen (914), which was presented to me on April 21, 2025.

House Bill No. Two Thousand Three (2003), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Two Thousand Sixty-Six (2066), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand One Hundred Sixty-Four (2164), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Four Hundred Thirty-Four (2434), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Four Hundred Ninety-Nine (2499), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Eighty-Nine (2889), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Two Thousand Nine Hundred Sixty-Three (2963), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Three Thousand Twelve (3012), which was presented to me on April 14, 2025.

House Bill No. Three Thousand One Hundred Sixty-Two (3162), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Three Thousand One Hundred Sixty-Six (3166), which was presented to me on April 21, 2025.

Committee Substitute for House Bill No. Three Thousand One Hundred Seventy-Nine (3179), which was presented to me on April 21, 2025.

House Bill No. Three Thousand Two Hundred Sixty-Three (3263), which was presented to me on April 22, 2025.

House Bill No. Three Thousand Five Hundred Three (3503), which was presented to me on April 22, 2025.

You will note that I have approved these bills on April 29, 2025.

Sincerely,



Patrick Morrissey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk
The Honorable Jeff Pack, Clerk



Patrick Morrissey
Office of the Governor

April 30, 2025

The Honorable Kris Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Committee Substitute for Senate Bill No. One Hundred Fifty-Four (154), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Two Hundred Ninety-Nine (299), which was presented to me on April 17, 2025.

Committee Substitute for Committee Substitute for Senate Bill No. Four Hundred Seventy-Four (474), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Four Hundred Eighty-Five (485), which was presented to me on April 14, 2025.

Senate Bill No. Five Hundred Thirty-Seven (537), which was presented to me on April 14, 2025.

Committee Substitute for Senate Bill No. Five Hundred Thirty-Eight (538), which was presented to me on April 9, 2025.

Senate Bill No. Five Hundred Sixty-One (561), which was presented to me on April 17, 2025.

Committee Substitute for Committee Substitute for Senate Bill No. Seven Hundred Sixty-Five (765), which was presented to me on April 21, 2025.

Committee Substitute for Senate Bill No. Eight Hundred Ten (810), which was presented to me on April 11, 2025.

Committee Substitute for House Bill No. Two Thousand Two (2002), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Two Thousand Fourteen (2014), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Two Thousand Four Hundred Eleven (2411), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Five Hundred Seventy-Six (2576), which was presented to me on April 21, 2025.

Committee Substitute for House Bill No. Two Thousand Five Hundred Ninety-Five (2595), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Eighty (2880), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Two Thousand Nine Hundred Sixty (2960), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Three Thousand Sixteen (3016), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Three Thousand Twenty-Four (3024), which was presented to me on April 15, 2025.

Committee Substitute for House Bill No. Three Thousand Two Hundred Seventy-Nine (3279), which was presented to me on April 22, 2025.

Committee Substitute for House Bill No. Three Thousand Two Hundred Ninety-Seven (3297), which was presented to me on April 22, 2025.

House Bill No. Three Thousand Four Hundred Ninety-Two (3492), which was presented to me on April 22, 2025.

House Bill No. Three Thousand Five Hundred Seventeen (3517), which was presented to me on April 22, 2025.

You will note that I have approved these bills on April 30, 2025.

Sincerely,

A handwritten signature in black ink that reads "Patrick Morrisey". The signature is written in a cursive, slightly slanted style.

Patrick Morrisey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk
The Honorable Jeff Pack, Clerk

[CLERK'S NOTE: **Enr. Committee Substitute for Senate Bill 10, Enr. Committee Substitute for Senate Bill 22, Enr. Committee Substitute for Senate Bill 565, Enr. Committee Substitute for Senate Bill 746, Enr. Committee Substitute for House Bill 2347, Enr. House Bill 2575, Enr. Committee Substitute for House Bill 2755, Enr. Committee Substitute for House Bill 3014, Enr. Committee Substitute for House Bill 3144, and Enr. Committee Substitute for House Bill 3444** became law without the Governor's signature on May 1, 2025, under the provisions of Section 14, Article VII of the Constitution of West Virginia.]

Veto Messages



Patrick Morrissey
Office of the Governor

April 30, 2025

VIA HAND DELIVERY

The Honorable Kris Warner
Secretary of State of West Virginia
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for Committee Substitute for Senate Bill 158

Dear Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return the Enrolled Committee Substitute for Committee Substitute for Senate Bill 158 with the following objections:

The bill violates State Board of Education members' fundamental and constitutionally protected right to participate in politics. If it became law, Senate Bill 158 would add several new restraints to the political participation of members of the State Board of Education. Appointees to that board already cannot be a "member of a political party executive committee" or hold "any other public office or public employment." W. Va. Code § 18-2-1 (2024). Senate Bill 158 would also prohibit a board member from becoming a candidate for "any other public office," serving as a delegate "to a national political party convention," or soliciting or receiving "campaign contributions" for "any candidate for partisan office." 87th Leg. Sess. S.B. 158, p.2 (Apr. 11, 2025).

Those new restrictions are constitutionally concerning. "The right to become a candidate for public office is a fundamental right" protected by the First Amendment of the United States Constitution, syl. pt. 3, *Carpenter v. Cobb*, 182 W. Va. 391, 391, 387 S.E.2d 858, 858 (1989), and by Article III and IV of the West Virginia Constitution, *State ex rel. Billings v. City of Point Pleasant*, 194 W. Va. 301, 304-05, 460 S.E.2d 436, 439-440 (1995). So, burdens imposed on the exercise of those rights must be "necessary to accomplish a legitimate and compelling governmental interest." Syl. pt. 2, *Billings*, 194 W. Va. at 436, 460 S.E.2d at 301. Senate Bill 158 likely falls short of that exacting test.

April 30, 2025

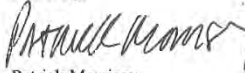
Page 2

To be sure, much of Senate Bill 158 mirrors the restraints already imposed on members of the county boards of education. W. Va. Code § 18-5-1a(a)(3). And the Supreme Court of Appeals has found that those restrictions on *county* board member's political participation serve a "compelling state interest" of "shield[ing] the integrity of that office from partisan political influence." *Carpenter*, 182 W. Va. at 394, 387 S.E.2d at 861.

But county boards differ from the State Board in an important way: the West Virginia Constitution mandates that members of the county boards of education be elected "without reference to political party affiliation," W. Va. Const. art. XII, § 6, whereas, the State Board of Education membership is expressly partisan: "No more than five members of the board shall belong to the same political party." W. Va. Const. art. XII, § 2. That constitutional difference severely weakens any compelling interest the State may have in imposing the same political participation restrictions on both boards. And it means further constraints on State Board members' fundamental right to engage in the political process is unlikely to stand up to constitutional scrutiny.

As a result of these issues, I hereby disapprove and return the Enrolled Committee Substitute for Committee Substitute for Senate Bill 158.

Sincerely,



Patrick Morrisey
Governor

cc: The Honorable Randy Smith,
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates



Patrick Morrisey
Office of the Governor

April 30, 2025

VIA HAND DELIVERY

The Honorable Kris Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

RE: Enrolled Committee Substitute for the Committee Substitute Senate Bill 531

Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for Committee Substitute for Senate Bill 531. This bill increases the penalties for assault and battery on an athletic official, and expands the subject of this charge to include participants in athletic events.

I find these offenses to be abhorrent. But I cannot justify a crime against a referee carrying a minimum sentence that is double that for assault on a police officer, particularly when only the former is mandatory. I would like to echo the sentiment of the Legislators: The individuals who devote their time to referee and coach our youth sports leagues—often as unpaid volunteers—provide an admirable service to our communities, and they are very much valued. But I cannot sign this bill, as it is currently written, and encourage the bill sponsor to work with my office to craft better legislation.

Accordingly, I hereby disapprove and return Enrolled Committee Substitute for Committee Substitute for Senate Bill 531.

Sincerely,


Patrick Morrisey
Governor

cc: The Honorable Randy Smith
President of the Senate

Roger Hanshaw
Speaker of the House of Delegates



Patrick Morrissey
Office of the Governor

April 30, 2025

VIA HAND DELIVERY

The Honorable Kris Warner
Secretary of State of West Virginia
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for Senate Bill 722

Dear Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return the Enrolled Committee Substitute for Senate Bill 722 with the following objections:

First, the State cannot afford Senate Bill 722 at this time. It would create the West Virginia Short Line Railroad Modernization Act—giving short-line rail companies two new tax credits to be used to offset personal income tax, business franchise, and corporate net income tax liabilities. The first is for an amount equal to fifty percent of qualified short line railroad maintenance expenditures and is capped at \$5,000 per track mile. The second is for an amount equal to fifty percent of new rail infrastructure expenditures and is written to “not exceed \$2 million for an individual project and \$5 million annually for eligible taxpayers.” 87th Leg. Sess. S.B. 722, p. 3 (Apr. 11, 2025).

Those credits are calculated at a rate that is nearly double the available credit for tourism development projects, W. Va. Code § 5B-2E-7(a) (providing a twenty-five to thirty-five percent credit against the state sales and use tax for tourism development costs), and significantly higher than the comparable federal railroad maintenance credit, which is set at forty percent of expenditures not to exceed \$3,500 per track mile, 26 U.S.C. § 45G(a), (b)(1). I see no good reason for the State to provide a greater credit in this area than the federal government—particularly as the State is working to be more fiscally responsible.

April 30, 2025

Page 2

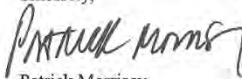
Second, even if those concerns were allayed, aggregate credits are extremely difficult to administer, and they tend to create issues of fairness. Unlike other aggregate credits in the tax code which are "distributed proportionately to the taxpayers," *e.g.*, W. Va. Code § 11-14C-9(d)(10), this new infrastructure credit is supposed to be "processed in the order received" and "granted on a first-come, first-served basis." 87th Leg. Sess. S.B. 722, p. 3 (Apr. 11, 2025). So, taxpayers would be required to race each other to be first in line to submit their credit applications. And one or two taxpayers could potentially sweep up the entire \$5 million credit while the others—who may have applied even minutes later—would be left with nothing. That uncertainty inherently disincentivizes long-term business planning and could embroil the Tax Commissioner in litigation.

Finally, this is not the right way to do tax reform. West Virginia's tax code unquestionably needs significant work. But new credits and exemptions that single out a particular group for favorable treatment while providing no relief for the average hard-working West Virginian are non-starters for me. Reducing taxes is a top priority for my administration, and I look forward to working with the Legislature in the near future to develop a framework for this effort. But such reforms need to be comprehensive, and they need to move West Virginia away from a tax code that picks favorites. Senate Bill 722's would be counter to that approach.

West Virginia's leaders must make sound fiscal decisions if the State is going to reach its full potential. That includes long-term and structurally sound budgeting, right-sizing government operations, reducing red-tape and government bureaucracy, and rejecting laws that create costs with no strategy for funding. Committing to those principles and implementing them in practice is not easy. But West Virginia's citizens deserve no less.

As a result of these issues, I hereby disapprove and return the Enrolled Committee Substitute for Senate Bill 722.

Sincerely,



Patrick Morrisey
Governor

cc: The Honorable Randy Smith,
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates



Patrick Morrissey
Office of the Governor

April 30, 2025

VIA HAND DELIVERY

The Honorable Kris Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

RE: Enrolled House Bill 2120

Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled House Bill 2120. This bill makes several modifications to the makeup and function of the Ethics Commission, and creates new requirements to comply with its regulations.

The Ethics Commission is recommending a veto of this legislation. They have advised me that the implementation of this bill would create significant hardship by increasing the cost of the monthly meetings, and by decreasing the likelihood that qualified individuals will be willing to serve as members. The Ethics Commission already operates on a tight budget, and the Legislature did not increase their budget to account for the effects of this bill, resulting in an unfunded mandate. It further modifies its online system and will likely lead to more travel expenses by its nine-person commission, which will place considerable strain on its budget. Its strength is obtained and retained through the appointment and retention of knowledgeable, principled members. The Ethics Commission has expressed concerns that this bill would make serving less desirable, particularly for those residing far from the State Capitol. The intent of this bill is undoubtedly a noble one, but the inadvertent consequences are too great.

I encourage the Legislature to revisit this issue and to meet with representatives from the Ethics Commission and my office to craft a bill which makes meaningful changes in the most effective and efficient way possible.

Accordingly, I hereby disapprove and return Enrolled House Bill 2120.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Morrisey", written over a horizontal line.

Patrick Morrisey
Governor

cc: The Honorable Randy Smith
President of the Senate

Roger Hanshaw
Speaker of the House of Delegates



Patrick Morrissey
Office of the Governor

April 30, 2025

VIA HAND DELIVERY

The Honorable Kris Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

RE: Enrolled Committee Substitute House Bill 2351

Secretary Warner:

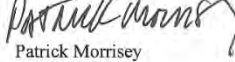
Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled Committee Substitute House Bill 2351. This bill increases the hourly compensation rate for panel attorneys from \$60 to \$70 for out-of-court work, and from \$80 to \$90 for in-court work. 87th Leg. Sess. H.B. 2351, p. 4 (Apr. 12, 2025).

I am sympathetic to the intent of this bill, and am open to increasing the hourly compensation rate for our panel attorneys. Yet, this bill creates a shortfall in appropriations, without any identified offsets. I want West Virginia to be a national model for fiscal responsibility, and this bill fails to meet that objective. While the Public Defender Services submitted a fiscal note which indicated that this bill would increase their budget by approximately \$5 million, the Legislature reduced appropriations for the Public Defender Services by approximately \$16 million from my proposed budget. 87th Leg. Sess. H.B. 2026 Intro., p. 25; 87 Leg. Sess. H.B. 2026, p. 26 (Apr. 11, 2025). The math does not add up. The Legislature did not fully fund this line item for the ensuing fiscal year, which necessitates the veto of this bill.

Accordingly, I encourage the Legislature to revisit this issue and to work with me to ensure a proper bill and budget to fully fund an increase in compensation for panel attorneys and other programs under the Public Defender Service budget.

Accordingly, I hereby disapprove and return Enrolled Committee Substitute House Bill
2351.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Morrisey", written over the printed name.

Patrick Morrisey
Governor

cc: The Honorable Randy Smith
President of the Senate

Roger Hanshaw
Speaker of the House of Delegates



Patrick Morrisey
Office of the Governor

April 30, 2025

VIA HAND DELIVERY

The Honorable Kris Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

RE: Enrolled Committee Substitute House Bill 3111.

Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled Committee Substitute House Bill 3111. This bill increases the salaries for Supreme Court Justices, Intermediate Court judges, circuit court judges, and family court judges.

I respect the valuable public service provided by our judges and justices, and I am open to increasing the judicial branch compensation, but that should be pursued in conjunction with pay raises for other members of the judicial branch and other state employees. We have many hard working public employees who are instrumental to the health, safety, and success of our state, such as our teachers, police officers, CPS workers, park superintendents, and road construction crews, who are not included in this bill.

Accordingly, I hereby disapprove and return Enrolled Committee Substitute House Bill 3111.

Sincerely,

Patrick Morrisey
Patrick Morrisey
Governor

cc: The Honorable Randy Smith
President of the Senate

Roger Hanshaw
Speaker of the House of Delegates

All business of the sixty-day session now being concluded,

On motion of Senator Martin, at 11:56 p.m., the Senate adjourned *sine die*.

We hereby certify that the foregoing Senate record of the proceedings of the regular sixty-day session of the Eighty-Seventh Legislature, 2025, is the Official Journal of the Senate for said session.

President of the Senate

Clerk of the Senate

Appendix — Remarks

*(As shown in the January 8, 2025,
Journal of the House of Delegates)*

ADDRESS OF
HONORABLE
JIM JUSTICE

(Governor of West Virginia)

Wednesday, January 8, 2025

GOVERNOR JUSTICE: Well, first and foremost, this isn't an easy day. And it's a good day. It's a happy day. And I thank not only all of y'all. I congratulate Roger and Randy and Pat on their elections and many more. But with all that being said, now you've got more of a job to do. And I think you're going to do it and do it really well. You know, through all this, we pulled the rope together, didn't we? We had to. You know, when it came crunch time, we first and foremost wanted to do good stuff for West Virginians. But absolutely, we had everything in the world thrown at us. Plus the fact that everybody on the outside never, ever, ever in West Virginia slang could have thunk that we could have pulled it off. That's all there is to it. But we did over and over and over and over. You know, you had grit. And we all had God above. You know, I always do this and I really do this because it's the right thing to do. I give God credit for all the good ideas. I'll take credit for the bad ones. But I really, truly mean this. From where we were on day one to where we are today, we have had a miracle from God touch all of us. And you should never, ever, ever forget that. Now, there's so many things we can talk about here. You know, I really believe just this. And I wrote down one thing. All the surpluses, all the gains, all the tourism, all the roads, all the, all the. You know what we did? We did this together. And you should be very proud. Every last one of you. All of y'all. Every single last one of you. You restored and gave West Virginia pride and hope. You did. You should never forget that. In all honesty, we're cooking. And we're cooking right now in ways like you can't imagine. Now, I'm going to just go through as quickly as I possibly can some accomplishments and all the stuff that we pulled off. And I don't know that I can see it real well. But one thing we surely did is we turned deficits to surpluses. You know, when I

walked in this door the first time, if you'll remember, I was bouncing around here on whiteboards all over the place and doing all kinds of different things and sweat just running off of me. Because I was sweating like crazy back there. Even if it would have been 10 below zero, I was still sweating. And then when we got here, it just got worse. With all that being said, all I could think about is just this. You know, when Dave Hardy and Mike and Mike and Mark handed me the books, basically. And you know what the situation was. I mean, they hand me a set of books, and it basically says, you got in the year that we have, and we have a constitution that says we're supposed to have a balanced budget. We're six months through the year, and we're going to be \$219 million short. Now, and that isn't a bad news, Governor. Really and truly, the first year we're going to project, we're going to be another \$497 million short. And a couple of years out from that, we're going to be \$772 million short. What's your answer? Your answer was absolutely only one thing. Well, we're going to have to cut. We're going to have to cut and cut and cut more. And the more you cut, in all honesty, the more people left. And when they left, they took their revenue with them. And I knew that we absolutely had to do something because I have never in my life—I've run a lot of businesses. I've never in my life seen a business that you could cut your way out of the mess. You've got to be prudent. You've got to be smart. And that's what we've done. We've kept a flat budget for all practical purposes. But with that, you had to grow revenue. I got a living. So we came up with the idea of Roads to Prosperity, didn't we? And I hate to say this, but some of you probably thought, bad idea. And probably some of you thought, there's no way that this is going to pass. And Toby and Edith out there, that I always refer to as the voters, stood up and said, no, we want to go with Jim on this one, and we're going to go 73 percent of the vote, every county. It was unbelievable. Unflat believable. A mandate like you can't imagine. And they didn't want their taxes raised, and really and truly, we didn't. So we took off. We took off. And I want to just tell you just this, and I mean it from the bottom of my heart. I'm not going to be your governor in but a few more hours. But with all that being said, now just think. October the 7th, when Toby and Edith stepped up, now they did. They stepped up and they said, we're going with the vast majority of y'all, and we're going

absolutely with Jim. 73 percent of the vote. Don't ever, ever not celebrate October the 7th, because on that day, this whole state took a big turn of where we had been and where we had been for decades. Absolutely right then and there, we took off. I've told you this story many times, but I was in the shower. Block that out of your mind. But now, and this idea just hit me, and this is what I say the good Lord invades in all of our lives. He made you who you are for a reason, and he made me who I am for a reason. That's why truly in my life, and this is how I think, as long as he gives me breath, I need to keep on digging. I need to keep on trying to do anything and everything I possibly can. Because I think if I just said, well, no, hold it, I want to just go hunt and fish and just hang out and everything else. That's what I want to do. I think he looks back at me and says, I'm not happy with you. I made you, Jim Justice, for a reason. He made every one of you all who you are for a reason, and that's why you're here, giving up so much of your life. It's off the chart, and you do it over and over and over. And I salute you in every way, but don't ever forget October the 7th, because on that day, this state pivoted and took off. Now, there's so many things. You know, my notes here would say we cut taxes over and over and over. Twenty-seven times we've cut taxes. And we've cut taxes for cars and Social Security and child care and small business and retirees and veterans and on and on and on and on and on. And the largest tax cut in state history in regard to reducing your personal income tax. I would tell you, don't lose the mission. The faster you can get rid of your personal income tax in West Virginia, this place will flood with people and opportunity over and over and over. You absolutely please keep your mission. Now, with all that being said, you know, there was a mandate. I'll never forget, I was on the Coalfield Expressway, and the road had been there, you know, it was 28 years in the making. The road, the initial grading had been done to the road from, I guess, Crab Orchard to Mullins [sic]. Ten miles. The mountains had been cut. The road had been laying there for, who knows, ten years, growing up in weeds. And here's what I said in a minute. I said, I'll build the damn road. That's the approach you've got to take. You've always got to take, build the damn road. You know, at the end of the day, it takes some guts, and you've got to step out and do it. You can build the damn road every time. Do it. The other thing is just as simple as just this. Since that time, roads to prosperity, if you count broadband and water and sewer and all the different things, \$14 billion have been spent in the great state of West Virginia. It's unthinkable. And think about education. I said in the first State of the State, I

said, we want to make education our centerpiece. Well, why'd I do that? I mean, for crying out loud, it was tough. I did that because we had, whether we like it or not like it, we had to change our image in West Virginia. See, we know how great we are, but the outside world didn't buy it. That's all there is to it, over and over and over. Education is so key. It is so key to everything we have. Don't ever forget. We've got a long ways to go with education, but we've done a bunch of really good stuff. A bunch of really good stuff. Now, with all that being said, we spent a billion dollars at the SBA and new schools or facilities or whatever it may be. Absolutely, we gave our families choice. For God's sakes of living, we gave them choice. And we supported Hope Scholarship and on and on and on. We absolutely did Communities in Schools with this lady's idea that honest and true. You know, it was just like, well, I don't know, Kathy [sic], I don't know. They were in one county, and now they're in every county in this state. I think 270 schools, over 110,000 kids. And if you really haven't seen Communities in Schools in action, I don't care about the national deal. In West Virginia, if you haven't seen it in West Virginia, you haven't seen something that you need to check out. It's unbelievable. They step up and they help one child. They help a child that may be disruptive in the classroom with all kinds of kids. But they help one child with maybe a jacket or maybe a toothbrush or maybe somebody just to talk to. And then along came the therapy dogs, and look what that's happened. Look what's happened there. Every time I do this, I get all choked up, but you've got to hear it. There's a little kid at Pineville. He's severely handicapped. Absolutely, he wouldn't come to school. He just wouldn't come to school. Now he's there with a little dog that's there, and he was reading to the dog. Gosh, here I go again. This is tough on me, this part. And we walked up to him, and we said, son, how's your day? And he looked up, and he said, best day ever. I'm telling you, this program has really worked. So with all that being said, we have flipped the script in many ways with our schools. Now we've got a lot more to do. There's no question we've got a lot more to do, and we can improve over and over and over. But the things we've done as far as choice, the things we've done as far as the SBA, the things we have absolutely been able to do because of the fact that we're economically so sound it's unbelievable, we've done good stuff, and you should really be proud of that. If you'll just think, and I see Glenn sitting here and Eric sitting here and so many, so many that have been really instrumental in really pulling the rope and making this happen. But the advances in economic development in this state

are off the chart. Company after company after company is coming to this state right now. Absolutely people that we would have never, ever dreamed of that could possibly be coming to West Virginia, and they are over and over and over. You haven't seen the fallout of all the stuff, the tens of billions of dollars that have absolutely are in motion right now. And when they get through in motion, you won't believe it. You just won't believe the new cores [sic] or Berkshire Hathaways or Form Energy or on and on and on. You won't believe what is happening right now all across West Virginia. We've got to just keep it going. That's all there is to it. Just keep it going. You should be, and again, really, really proud. And I congratulate, like I said, the folks at EDA. They've done a marvelous job. Keep up the good work. Now, I want to talk to you just one second about tourism. You know, when I rolled in the door, I think, and Chelsea Ruby was here, Chelsea would say four years in a row as far as folks coming into West Virginia and the number of dollars that they've spent in West Virginia had declined. You know, can you imagine this number? Right now in the state of West Virginia this year, the visitors are going to, not in 2025, in 2024 visitors are going to come to West Virginia and spend \$9 billion, \$9 billion, almost double the entire budget of the state of West Virginia. It is unflat believable. How did it all happen? I'll tell you how it happened. It happened so simple it was unbelievable. We became frogs that were proud of our own pond. And the world saw who we are. I told a bunch of kids at Appalachian Bible School the other day, and I would tell you exactly this. Do you realize these kids, I said, do you realize what the moms and dads all across this world would give if their kids could be you? In this great state, with our great values, and absolutely all the good that comes from us, they would give anything if their kids could be us. Don't ever forget that. Hold your head really high. Be that frog that's super proud of your pond. And with all that being said, then all of a sudden, lo and behold, tourism just took off. And it's still, and remember this, it's still the parsley around the sides of the plate. There is so much more on this plate. There's so much meat and potatoes there. There's so much more. Tourism is a story that you just can't possibly imagine. The net net of this whole thing is, again, just think, just a few days ago, West Virginia, gosh, it's so unbelievable, it's off the chart, but West Virginia, the number one inbound migration state. Just imagine it. We were supposed to be that state that was so backward, should know your place, shouldn't absolutely dream big, because you can't ever do that. We were supposed to know our place. And I hope nobody's here from Mississippi, but we

were supposed to be constantly competing with Mississippi to see who would be dead last. I hope to goodness nobody's here from Mississippi. But really, we're not doing that anymore, are we? I salute you on this. Really, so much of this is because of our conservative decisions. You know, we stood rock solid for life, didn't we? And anybody on the outside that would wonder about West Virginia, you best better know rock solid. We stand for life in West Virginia. We told the world, don't mess with our guns. I mean, that's the last thing you want to do. Don't mess with our guns. We appointed conservative judges over and over. We didn't take a blind eye to the border crisis. Absolutely, for the most part, all of us should love and respect Donald Trump. I want us to all know just how important energy is. Energy in this nation, and I wrote, I told them, I wrote, I've done a whole bunch of stuff already in D.C. I was fortunate enough to be put on the Energy Committee, but I've done a whole bunch of stuff, and here's what I would say. I would say, you know, we have a deficit in this nation that's off the chart trillions. You know, Tommy Turberville [sic] came to me, you know, one of our senators from Alabama came to me and said, and he said, tell you what, he said, you don't really understand this job. He said, this job is this. It's the most unbelievable job in the world. You see, we've got to figure out a way in this country every year to spend two and a half trillion dollars more than we take in the door. Think how crazy that one is. And then he just laughed. He said, and he was really sad about that, he said, it's the beatenest thing you've ever seen. Some way we've got to stop it. But at the end of the day, remember what I said, you can't cut your way out of a mess, in my opinion. Now, there's tons of waste in D.C., and President Trump is going to take a meat ax to a bunch of stuff, and I'm going to be right with him, arm and arm. But with all that being said, we've got to find a way to grow our revenue, too, as a nation. The whole answer is energy. Say what you want. It won't grow anywhere else but energy. You see, at the end of the day, civilization has only ever progressed with abundant, cheap, and now clean energy. The only way civilization has gone forward is that. We're standing and sitting on natural gas reserves, coal reserves, absolutely all the alternatives, whether it be solar or wind or whatever. I say embrace them all. But for God's sakes, don't be dumb enough to absolutely turn your back on our fossil fuels. Our fossil fuels are critical to us like you can't imagine. The thing I very proudly would tell you today, and this is absolutely a gospel fact, Donald Trump and I are real friends, not kind of friends. We're real friends. We're not acquaintances. We talk, we

talk all the time, and literally, he is going to make it happen, and I'm going to do every single thing in my power to stand arm-in-arm with him, and I'll do it to my death. Absolutely, this nation better turn around and better turn around now, or we're not going to have a nation. We got it figured out in West Virginia. We know in West Virginia what to do, what's reasonable, what's logical, and everything else. It is amazing what you do. Unbelievable. But this nation has been a dog's blooming mess and these last few years have been really something. And where we would have gone if Donald Trump hadn't been elected, I mean, it just absolutely blows me away. So with all that being said, just think about this just a second. Lo and behold, out of the clear blue nowhere, we have this pandemic, we have COVID, and nobody's got a playbook, and nobody knows where to go. Someway, somehow, how'd we get through it? We got through it one way. We stood arm-in-arm, we pulled the rope together, we helped each other, and lo and behold, we got through it. Now, there's all kinds of things now that we look back on that we could change, but for crying out loud, nobody knew. Nobody knew. Everybody was doing the best we could possibly do, but one thing we did, West Virginia in many ways led the way. Little old West Virginia. That in its own way helped us for the world to see West Virginia. You know, I've said this a bunch of times, and I really mean it. You needed a head coach. I hope that you think that I've been a decent coach. Absolutely, but you can't win ballgames if you don't have great players, and you were the players, and you were great players. You made me proud so much it was off the chart. Absolutely, I promised you a rocket ship ride, and we're riding that rocket like we can't imagine. We got a new governor coming in, and we wish him the best like you can't imagine. For crying out loud, please, nobody, root for failure. I mean, absolutely, I thank [sic] the world of Patrick and Denise, and I wish them the best in every way, and I stand ready to try to help them at every minute, and so does Kathy [sic], so does my whole family. I pray that they will have successes like you can't imagine. I wrote this down. We pulled the rope together. We made tough, right decisions. You know, we proved them wrong, didn't we? We proved them wrong over and over. They called us hillbillies, but we proved them wrong, and now West Virginia, in many ways, is the envy of the world. I would tell you, keep it going. Absolutely keep it going. I'm so proud of you, it's off the chart. My dad would say over and over, it's been a real honor flying with you. It really has. I absolutely would wish you the best in every way. God bless each and every one of you. It's one tough job that

you have, that I had, but you are the best, and you should always please remember that. And so as I leave you, I would say I'm very, very proud of you. I can't say anything better than what my dad would have said when he said, it's been a real honor flying with you. God bless you. Now sit down. Sit down, because Roger's kind enough to let me bring Baby Dog [sic] out here. So Baby Dog [sic] and Kathy [sic] and I are going to sit here, and if any of you want to come up and say hi, please do so, but I don't have any idea where she is. Oh, here she comes. Justices, I'm sorry. Thank y'all so much in every way. Come on, Baby. Baby Dog [sic], last night, I got to tell you this story real quick. Last night at 10.30 [sic], she cut her paw on the ice and was bleeding so bad, blood shooting everywhere, and we ended up at the bed [sic] at 12 o'clock, stitches and everything. So anyway, nevertheless, thank you. Thank you, Roger. Thank you, Randy. Thank you, Craig, wherever you are. And God bless each and every one of you. Thank y'all. Okay, now I'm done. Y'all leave. I only got a few days left.

**WEST VIRGINIA
STATE OF THE STATE
ADDRESS**

*(As shown in the February 12, 2025,
Journal of the House of Delegates)*

**PRESENTED BY
HONORABLE
PATRICK MORRISEY**

(Governor of West Virginia)

Wednesday, February 12, 2025

GOVERNOR MORRISEY: Thank you very much, Speaker Hanshaw. Thank you, Senate President Smith. Isn't it a great day to be a West Virginian? You know, I want to start off with a few recognitions. First, a hearty welcome to the Board of Public Works. We'll start with Attorney General J.B. McCuskey, Auditor Mark Hunt, Secretary of State Chris [sic] Warner, Treasurer Larry Pack, Agriculture Commissioner Kent Leonhardt, State Superintendent Michelle [sic] Blatt. To the West Virginia Supreme Court, thank you. We have Chief Justice William Wooten [sic]. We have Justice Elizabeth Walker. We have Justice Tim Armstead, Justice Haley Bunn, and Justice Charles Trump, newly elected. We have Intermediate Court of Appeals. Judge Greer [sic], Judge Lorensen, Judge White.

To my cabinet officials, these guys are all-stars. I am looking forward to you getting to know them. My cabinet officials. To the distinguished members of the House and Senate, we're very fortunate to be joined here by the Japanese delegation. That's Ambassador Shigeo Yamada, ambassador Mikio Mori, and they're joined by Honorary Consul Larry Rector. Let's give them a hand. Oh, there you are. I just had a chance to talk to the Japanese ambassador. Looking forward to sitting down with you tomorrow and learning about all the new ways West Virginia can work with the amazing country of Japan. Thank you. All right. We have my governor's office staff. By the way, I promise you this speech is not going to take an hour and a half. To everyone in state government who makes this place tick, they're worth it. To my daughter, Julia, and her husband, George. And to my wonderful first lady, Denise. Thank you all for being here. I want to start with a story. Every year for the previous 12 years I served as your attorney general, I used to make it a priority to speak at American Legion Boys State. This is a tradition I hope to continue as your governor. This is a tremendous event. And when you go to the event, you see you have some of the brightest, the top high school students in the state. They run a government class. They learn about civics, the legislature, and they do all these cool sorts of things. It's a lot of fun. When you go there, you can't help but have a smile on your face. When you meet these young men, these guys are going to go places. Now over the years, my speeches to them have changed, but I've always asked two questions. The first question is how many people here want to go to college? And I will tell you, when I ask that question, nearly every hand goes up. Then I follow up and ask, how many people think that there'll be a good job available for you right here in West Virginia when you graduate? Every year, about 20% of the hands go up. Now I want us to pause and think about that for just a minute. This is heartbreaking. If four out of five of these kids feel they need to leave the state to find a job, that's not acceptable. That's what motivates me, and it should motivate you. We're only going to know that we're really successful as a state when every single one of those kids raises their hands. Tonight, I want to share with you my vision for how to make those hands go up and help kids and grandkids make West Virginia home forever. I got here later in life. I am so happy I'm here, and I'm going to do everything I can to repay that debt. And let me start by sharing some information about my upbringing. I don't know everyone here in the room, a lot of them, but let me emphasize, this is not unlike most West Virginians. My father, he was a World War II vet.

He used to talk about his million-dollar wound when he was taken off the line in the Battle of the Bulge. He worked for a steel company. My mom was a VA nurse. Used to treat a lot of patients coming home from Vietnam in the 70s. They talked a lot about that. With four kids to raise, they worked really hard and saved for everything we had. Not much, but they worked for us. My parents, they taught me the value of hard work, determination, and grit. These are all attributes that embody the Mountaineer spirit. I started working when I was about seven years old. I delivered newspapers with my siblings. I worked many odd jobs growing up. I tried to balance high school with academics, sports, and work. And you wouldn't believe it, but I was once a skinny cross-country runner and a pretty good tennis player. Now, nothing's changed, right? I paid my way through college, becoming the first in my family to graduate, and then I went on to get a law degree. I had financial struggles along the way, and I nearly went bankrupt as a young adult, but I soldiered on. Now, that doesn't make me special. It doesn't. That's just the story of most West Virginians, the kind of work they put in every single day. You see, our people, they're the proud product of resilience and hard work. For generations, our state's played a huge role in America's success. For over two centuries, we powered the needs of our country, relying on good old-fashioned West Virginia resources and a hungry workforce. Our coal miners, they traveled deep inside the earth to extract this rock, which powers our state and makes our steel. Our oil and gas workers, tell you what, they break their backs as they work to heat our homes, run our factories, and allow our people to flourish. We won world wars in part thanks to the efforts of so many West Virginians. We are and will always be America's energy state. Now, our fossil fuels, I think we all know this, they've had some challenges in recent years, but we persevered through the war on coal and dealt a major blow to Biden's radical Green New Deal. When I served as your Attorney General, I built the coalition that stopped the radical liberals in D.C. which threatened our West Virginia way of life. We had a big case. We went all the way up to the U.S. Supreme Court in West Virginia VPA, and we won. We saved thousands of West Virginia jobs, and we dealt a big blow to the deep state in the process. Thank you. Tonight, ladies and gentlemen, I'm here to tell you that our deep energy reserves, they are going to help our workers soar yet again. Right now, there's a ferocious competition going on between the United States and China. The winner will be the country which powers the enormous data needs of tomorrow. Years ago, the China virus devastated our economy and

screached it to a halt. Now, we have a new threat. China already generates half of the world's coal-fired power. You know about that, Rupi [sic]. That gives us a huge advantage in the arms race for computing power and intelligence. America is going to have to either find a way to dramatically increase its power production, or China will eclipse our nation in a technological battle that will determine our national security. West Virginia will play a critical role in this competition. Now, with President Donald J. Trump back in the White House, I know—well, hang on. I promise you those weren't just for applause lines. I know our state and our nation are on our way to a resurgence and a golden era unlike anything we've seen before. We will once again be the engine that powers our country. That means using even more coal and gas, utilizing our rich water resources, and developing nuclear-powered small modular reactors. It also means expanding the use of microgrids and investing in our educational institutions to train the high-skilled and well-paid workers. These are the people that are going to be the key to success in the next decade. Tonight, I'm announcing a new strategic investment in this area. We will be establishing the West Virginia Power Tech Center. Here's what it stands for. Powering our workforce through energy and revolutionary technology center. Let me tell you what this means. This is a center that will represent a first-of-its-kind collaboration between some of our key educational institutions. WVU, Marshall, Shepherd, Blue Ridge Technical. To help West Virginia become the most innovative, aggressive supplier of energy to the growing technology industry. As part of this effort, we're going to slash the red tape. Let me tell you, we are going to slash the red tape and the bureaucracy that have kept our energy in the ground for far too long. Thank you. In this process, we're going to partner with the world's foremost experts. Job creators and innovators to examine the intersection between energy and technology. We're going to adopt regulatory and tax policies that make West Virginia the most dynamic and friendly state in the nation. For data, super intelligence and cryptocurrency facilities. Now this new center, it's not only going to help drive state and national thinking on data and energy needs, it's going to create new opportunities for the type of advanced manufacturing jobs that provide long-term economic security for our state. The center will teach our students in these new fields and also play a crucial role in our state's Vo-Tech renaissance. Now beyond the need for these data engineers, the robotics expertise and technical literacy, folks, we're going to need to become the preeminent factory

training new electricians, plumbers, sheet metal workers and contractors. We're going to ensure that good paying jobs are available for all West Virginians. Let me emphasize, West Virginia has power and by God, we're going to use it. We're going to use every last ounce to fuel our mountain state comeback. Now, it's no secret that West Virginia has its fair share of challenges. I'm always going to level straight with West Virginians. Today, we must be honest with West Virginians about the pathway in front of us. I believe we're going to succeed wildly, and I know every one of you share that belief. But our road to competing and winning, it's going to take some time, especially in light of some of the problems we've inherited over the years. There's some hard truths here. We rank 49th in educational attainment, 50th in public health and last in workforce participation. No one should be satisfied with that. No one. We've inherited some big problems and then there's our budget. Now, the most basic rule of budgeting when you're a family sitting at the kitchen table or you're the state of West Virginia is that you can't spend more money than you make. That's particularly important now. The budget that I inherited would have put us approximately \$400 million into the red for fiscal year 2026. And you'll see all the material, all public for everyone to see. Over \$500 million into the red for 2027 and over \$550 to \$600 million in the red annually after that. These are not debatable numbers. They're not. You'll get to see them. All West Virginians will be able to review that. We inherited a deep structural deficit. It was papered over with one-time money that's now running out. Now, some have suggested we have over \$2.1 billion in reserves that could be spent. But that's very misleading and let me explain why. The truth is of that \$2.1 billion, \$1.3 billion is the rainy day fund. And many of you are very familiar with the rainy day fund. Hasn't really been tapped into for a while, thankfully. But look, it's reserved for the most severe of emergencies. There might be a major flood or natural disaster, a severe economic downturn. Only in the most desperate of times do you touch that nest egg. If you dip into that emergency fund prematurely, you begin to jeopardize the state bond ratings, which would cause our interest rates to go up. Well, what does that mean? Well, right now, we only have about \$800 million of the one-time monies left to deal with the structural problem. So without action now, we'd have to dip into the emergency fund, that rainy day fund, in less than two years. That's why there's real urgency now. Tonight, I'm submitting the Mountain State Comeback Budget, a balanced budget which represents a down payment on a multi-year plan to solve our

state's financial challenges. Under my administration, our hallmark will be fiscal responsibility. Our budget, thank you. Our budget, we're not going to propose new ongoing programs without new ongoing revenue. We plan on over 2% of general revenue budget reductions and many other changes to bring our budget to balance and to protect taxpayers as we go after waste, abuse, and overspending in the system. Over the next year, we're going to have some even bigger challenges and some really tough choices remaining. One of my first acts as governor, many of you know, was to sign an executive order directing all state agencies to review that spending and save taxpayer dollars. Let me update you on that. In the last 30 days, I've already proposed consolidating three departments, and we'll be soon working to eliminate many, many unnecessary boards and commissions. We are merging the Department of Homeland Security with the Adjutant General's Office. Tourism would merge with Arts and Culture. And we're reuniting Commerce and Economic Development. And here's some good news. We've hired a chief financial officer who's going to help manage the audits and performance reviews, find savings, and look for improvements across all parts of government. Thank you. Let me be clear. We are going to uncover all of the waste and abuse that hides in the dark corners of state government. And we will root it out. If you like what President Trump is doing in D.C., you're going to love what we're doing right here in West Virginia. Now, another major driver of West Virginia's budgetary challenges, no surprise to anyone here, is the Public Employees Insurance Agency. This is a problem that, quite frankly, has been kicked down the road. Now we have to deal with it. My budget grows PEIA by about \$45 million this year so that the state can meet its legal obligations. Yet, that new state commitment doesn't even address the 14.4% employee premium increase expected this year. This is another problem we're going to have to address. Tonight, I asked the legislature to work with me, develop short- and long-term solutions to PEIA, but also to find ways to help retirees on fixed incomes without pushing our problems into the future. They deserve that. Now, no surprise this year, I pledged to be an agent of change. And I understand that some don't like that. Often, I hear, that's not the way it's done around here. You wouldn't believe how many times last month I've heard that. Well, you're damn right. What we've done in the past isn't moving the needle fast enough. I'm not criticizing anyone. I'm not calling anyone out. It just means we must move the needle faster. And I look out at this room and know now we have a

unique opportunity to come together as a team to make better decisions for our citizens. We're all on Team West Virginia now. Now, despite our challenges, we do have substantial assets at our disposal as we start our Mountain State comeback. First, we are America's energy state. And with President Trump's help, we're going to maximize our resources to help the U.S. compete in the world economy. No one could match our incredible mix of coal, gas, and water resources. Second, we're strategically located. And we have hardscrabble workers ready to take on new challenges. The marriage of energy and data centers, that could lead to generational wealth for our citizens if we seize this opportunity. Third, we're nimble. And we can move fast to grow quickly. With your help, we're going to enact legislation to improve education, cut red tape, implement comprehensive tax reform, and be more competitive than all the states that we touch. And fourth, I'll work with you. And I'm going to put in the long hours to help our state succeed. I actually live nearby, but I also come to your districts. During my campaign for governor, I visit every one of our 55 counties at least twice. I'm humbled to have earned a mandate of 62 percent in the past election, winning every single county. I know, thank you, I know that the vast majority of voters, they support our agenda. Now, tonight, I'm asking everyone, let's come together and let's put the people's interest over the special's interest. Can we do that? And when we do that, we will be making real progress on being that shining state in the mountains. Now, West Virginians, we can typically agree on a few things we love. Coal, pepperoni rolls, and beating Pitt. As you know, I've taken this rivalry to a new level, declaring an economic backyard brawl with our neighboring states. Let's start with the obvious stuff. Tonight, I'm renewing my call to ensure we have the lowest income tax of all the states that we touch. Thank you. I want to work with every member of the House and the Senate to someday make that a reality. Now, some may question why I want to lower taxes when we've just been talking about the inherited shortfall. But the answer to fiscal constraints is not to raise taxes. It's to cut spending and grow our economy. We're going to make West Virginia the most attractive state to live, to work, to play, and to do business. That means being competitive in site selection, where businesses can find easily accessible plots of land to build plants, factories, and technology centers. West Virginia must continue to be prepared to welcome big economic projects into the state and move at warp speed to bring on more high-paying jobs. Of course, improving workforce participation, that's the challenge of our time.

And it's one I plan to confront head on. I've directed our workforce team to put together a dynamic jobs portal to identify and help recruit candidates for the job needs we have right now in West Virginia. If we just did a little bit more in the people that right now are not participating in our economy, we can increase that base, make a big difference in our budget and the standard of living for our citizens. Every agency and department in my administration, we're going to work, we're going to participate in that effort, and we will, we must grow workforce participation. In today's economy, maintaining reliable and fast connections to the internet, that's not a luxury. That's a necessity. West Virginians don't want broadband that moves at the speed of slow. In the upcoming months, we'll work with the Trump administration on how West Virginia should best take advantage of the federal broadband dollars and drive economic growth. Now, part of successfully competing with our neighbors means reducing or eliminating needless bureaucracy that presents a barrier to entry here in West Virginia. During this legislative session, I've identified several areas in need of immediate reform. First, we must increase efficiency in the permitting processes so that our transportation, manufacturing, and energy construction projects, they're not bogged down in a sea of red tape. We're drafting legislation that will create a one-stop shop system for permitting approvals. So when you want to expand a business or build a manufacturing facility, you come to one office to help to coordinate and expedite all the various permits you need to start your project. To bring transparency to the process, we're going to set up an online dashboard so you can monitor where your project is in the process and where the holdups may be. And if you experience delays, and it's our fault, we'll refund you the fees. If you need expedited... Thank you. If you need expedited permitting, we're going to make that an option for you. This will be efficiency our state has never seen before. Second, we need universal licensing reciprocity. I want to ensure that folks, I know many of you want to do the same, contractors, electricians, nurses, physicians, anyone who has an occupational license in another state, we want them to move to West Virginia and to get them to work right away. When other states... Thank you. When other states passed universal licensing reciprocity, it helped increase their workforce population by thousands. Third, and I know there's some split here in the House and Senate on it, but it's important. West Virginia needs a much more competitive healthcare environment. That means we must repeal Certificate of Need mandates and allow innovation and

entrepreneurship to take root. We must also reform how we look at healthcare in West Virginia. Right now, our public health statistics rank lower than any other state in America. One of the roadblocks to improving our healthcare system is the Certificate of Need process. Let me tell you what that is, and for those watching and for home. A Certificate of Need, you know, it's essentially a permission slip. It's given out by the government that you need to open up a new hospital or a healthcare facility. It hands over power to unelected bureaucrats and major healthcare providers who decide which communities need new or expanded healthcare services. This is big government activism at its worst. Tonight, we move toward the free market. And that's why I'm calling for a repeal of Certificate of Need laws in the state of West Virginia. Now, repealing these laws is going to help access, especially in the rural parts of the state, where you need more personalized healthcare. This is going to fast-track new private practices, urgent care, and other facilities. It's going to be a real shot in the arm for outpatient items and services. There are too many instances of our citizens not being able to get adequate healthcare within state lines. I know Senator Patricia Rucker's son, I know Patricia's here tonight, Ambrose and his wife, Mary Grace, they had to travel all the way to Virginia, I'm told about an hour and a half from their home, to give birth to their child and go through all the necessary appointments before and after. With West Virginia roots, they were really disappointed that their child could not be born on West Virginia soil. I want to thank the Ruckers for letting me share their story. And I know due to transportation issues, they couldn't make it tonight, the last minute. I want to say to them, are they here? Oh, you made it. I was told you weren't going to make it. Where are you? Can you stand up? Come on. Make sure you kiss the baby on the way out. That's great. I say this to you, Ambrose, we're going to fight for all West Virginians to get the health care they need right here in the Mountain State. Now, once the government gets out of the way, I know it's going to take some time, our health care system will begin to flourish. Repealing CON will be a big step forward to improve care for some of our most vulnerable citizens and provide services that barely exist in some parts of our state. Now, as a general matter, we have to eliminate all red tape quickly. Losing out on new businesses and opportunities because of burdensome processes and overregulation, that's unacceptable. I spent years fighting federal overreach, overregulation at the federal level. Now we're turning our attention here because energy resources are one of our greatest assets. We're also looking at some

very specific ways to boost production and the use of energy. For example, changes that will make accessing oil and gas resources less cumbersome and costly for investors while maintaining environmental protections. In order for us to grow longterm, education must be a top priority. I think all of us know that our classrooms, they must be centerpieces of excellence. Recent results from the nation's report, well, they indicate that West Virginia students are still struggling. In 2024, our students ranked 49th in grade 8 math, 48th in grade 8 reading, 46th in grade 4 math, and 48th in grade 4 reading. While we did see improvement in a few areas, a lot of work remains. It's one of the reasons why a number of years ago, the legislature introduced the HOPE Scholarship, which I successfully defended as your Attorney General. We wanted to, I think everyone who supports HOPE, we wanted to ensure that every student in West Virginia had an educational option that best fit their needs. We must continue our focus in all the schools on the basics like reading, writing, math. But we also must embrace 21st century skills in STEM, coding, and digital literacy. We're already seeing some great results from the HOPE Scholarship. Nick and Natalie Chapman, who join us here tonight with their son Noah, utilized the program after their son was diagnosed with dyslexia. They knew that for Noah to thrive, he would need to receive some specialized instruction. So what'd he do? He enrolled at Covenant Christian in Huntington in November. And when he did that, Noah's reading score skyrocketed. It's been a life changer for Noah and the Chapmans and plenty of others around West Virginia. The Chapmans are a shining example of what we can provide when we open up opportunities and we give parents a choice. Thank you, Noah, for everything you do. Thank you to the Chapmans. Let's give them a hand. Now, during my inaugural address, I spoke about the importance of paying teachers more competitively with the other states that we touch. I think we can all agree that good teachers are at the heart of any educational attainment strategy. This year, I will be asking the legislature to work with me to open up the antiquated school aid formula so we can address all of our financial needs at once. Those of our families, our taxpayers, and our teachers. This is another area where we should collaborate with the Trump administration. Right now, West Virginia needs more flexibility from the federal government to administer its school aid monies and help our kids excel in math, science, reading, and other subjects. I know the Trump administration wants to work with West Virginia to help us rise. Now, teachers have told me time and time again that in order to be their best, they

need to maintain control of their classrooms, and eliminate distractions. We need to work on this. That's why tonight, I'm calling on the legislature to allow schools to ban cell phones in the classroom. Thank you. That seemed pretty bipartisan, I think. Now, other states, when they've done this, they've seen great success. I talked with some of my fellow governors at one of the recent governors' meetings. I know that they want to, we need to give West Virginia schools every tool to increase those learning outcomes. I think this is going to help. We're going to expand VoTech and the way we prepare students to enter the job marketplace. We'll have expanded apprenticeships, internships, and partnerships, including with some of those wonderful Japanese companies that are coming. So we hope. We know that we want to show our young people and our workforce that our future is bright. Now, I want every West Virginian to do meaningful work and make an honest living, no matter what educational route they take. And you don't need a four-year degree to succeed. Now, West Virginia, one of its great strengths, it's our conservative values. We stand for God, for life, for the Second Amendment, for religious liberty, our Constitution, and our freedoms. And we will always, thank you, and we will always fight for those values. Within 30 short days, we've already made progress tackling some of those issues. From day one, I said we're going to root out DEI, and eradicate the woke virus from infecting our schools. Thank you. Upon taking office, I issued an executive order to eliminate DEI in state government and any entity receiving state resources. And here's why. I want people to know here's why. Here in West Virginia, we're going to follow the Equal Protection Clause of the Constitution. Every person is equal in the eyes of God, and starting now, they'll be equal under the law as well. We are not ever going to provide unlawful special privileges to special classes of people. Now, already, several of our largest universities, they've taken steps to shut down their DEI programs. That's a win for West Virginia, and we are not done yet. We are always going to stand on the side of truth. Always. Last week, I joined President Trump in the White House, signing an executive order where he banned men from competing in women's sports. And I had a chance to meet with my friend Riley Gaines, who has led the charge nationally. She's great. To save women's sports and protect women's spaces. This legislative session, I'm going to ask the legislature to pass the Riley Gaines Act. These are basics, but we're going to try to define sex-based terms, such as woman, man, girl, mother, and allow for facilities such as locker rooms, bathrooms, and rape crisis centers

to be based on biological sex. West Virginia will lead with common sense. Now, this isn't just an ideological fight. You know what this is about? This is a fight about young girls, like Emmy Salerno. She was forced to compete against a male in track and field. Emmy and her teammates from Lincoln High School in Harrison County, they bravely took a stand and refused to participate. We are grateful that Emmy and her parents are with us tonight. Thank you, Emmy, for your bravery. Let me tell you, I've been able to spend a little bit of time with Emmy, and she is a wonderful and courageous young girl. Emmy, you've got a great future in front of you. Now, as Attorney General, I was proud to support Emmy and her friends. And we took that case all the way up to the Supreme Court, where it still remains. Hey, J.B., I think we're going to win that case, aren't we? Amen. We better win that case. But look, but it shouldn't take a lawsuit to fix this. Let's restore common sense and fairness so Emmy, her teammates, and girls across the state, they have the right to their own competition, their own locker rooms, and private spaces. Now, as your governor, my duty is to protect and defend the citizens of West Virginia. I've already been partnering with the Trump administration to crack down on illegal immigration and stop the flow of deadly fentanyl into our communities. The impact of this can be seen all over the mountain state. West Virginia has the highest drug overdose death rate in the country. Opioids have ravaged our residents, damaging families, and ruining lives. But we have fought back, and over the last few years, we've made great strides, combating this drug mess. Unfortunately, an open southern border and lax immigration enforcement really helped propel another deadly drug to rear its head, fentanyl, which causes over 80% of overdose deaths. Thanks to four years of negligence at our southern border, every state is a border now. Now, Jennifer Crane is here with us tonight, and she's had a unique look inside the drug epidemic that's ravaging our state. Where's Jennifer? So let me hang on one second. Jennifer is an amazing woman. Jennifer was once an addict. She recovered, and now she serves as a support and recovery specialist for others facing addiction. We are grateful for Jennifer's work and for those like her, and we'll be inspired by her courage as we partner with the federal government, with the local counties and cities, the West Virginia First Foundation, to prevent another generation of West Virginians from falling prey to senseless death. Thank you, Jennifer, for your bravery. She deserves it. She's worked so hard, Jennifer. Congratulations. I'd like to close on a hopeful note. On Super Bowl Sunday, many millions of people saw an

inspiring ad, and we all sang the lyrics to Country Roads. How many people here did that? I did, right? Let me tell you, this was a proud moment to be a West Virginian. As the music filled rooms across the country, I couldn't help but think of how many West Virginians I meet every day who call the state home. You see, to many around the country and the world, Country Roads is all that comes to mind when they think about our wild and wonderful state in the mountains. And that's a real shame. There's so much more to West Virginia than our beloved John Denver song. It's my hope that in a few years' time, when Country Roads plays maybe at a WVU game, thousands of students will be singing out, not only with pride in a mountaineer victory, they'll sing with pride knowing that their job, their family, and their future will be right here in West Virginia. Ladies and gentlemen, the Mountain State comeback is here, and it starts right now. God bless you. May God bless the United States of America and may God bless the great state of West Virginia. Thank you very much.

REMARKS OF
HONORABLE
MICHAEL A. WOELFEL

Thursday, February 13, 2025

SENATOR WOELFEL: Thank you, Mr. President.

You know, one of the things I enjoy about the floor sessions is, from time to time as we just heard, some distinguished person from our community is here, and we get to recognize them, and recognize their life.

So, one of my good friends, and his name is John—we'll leave it at that . . . He's not here today. I was hoping he was going to be here today so I could introduce him to everyone.

I want to just tell you a little bit about John. His nickname is Jake.

One of those people in your town—we've all seen it—if you're in a restaurant, if they're having dinner, there'll be four, five, six, eight, 10 people come talk to him. They want to check in with him. He's been a bar owner—sold his bar—and just a man about town, sports expert, you name it. And he grew up in a little town called Cox Landing.

Cox Landing is a beautiful place along the Ohio River in Cabell County. And John was able to swim in the river. There was a little golf course near where he was. He could get over to that, walk to that. And he just had an idyllic life. His father was the principal of Cox Landing and his mother was a teacher there.

Well, it came time for polio vaccinations. This was about 1961. And John was in line, A, B, C, D, ready to have his vaccination. And his mother, God bless her, said, "John, we're going to have more of these next week. Let these other kids, they're ready, their bus is here. You go ahead and let them have their polio vaccinations." So, of course, little guy, John, did that.

And whether it was through sneezing or being around the school restroom with other children, he contracted polio. It's a disease. And he's carried that leg . . . he's in his mid-seventies. Only thing I can describe that leg as, it's rag-like or like a noodle because that disease got into his spine and it ate his nerves.

Now, what polio does, it attacks the brain. It can give you encephalitis, meningitis. In John's case, he has paralysis of his right leg.

Now, we're going to have a vote. I'm not on the Committee for Health. I have all the respect in the world for the Health Chair. But I won't be there today when you discuss this issue of vaccinations. And when you vote on this—please, please listen to me on this—we're not rejecting Fauci, we're not speaking to Biden, this is about the safety of our most vulnerable.

Now, I'm not worthy of saying . . . we pray here every day—and I love that part of the floor session—but I'm not worthy in my view of saying a public prayer. But I do know this from my 12 years of Catholic education, these are the least among us and the most vulnerable. So please, when you vote on this bill, let's do some amendments, okay?

I'm not advocating that we not modify the vaccination laws as they exist. They need to be reviewed and modified. But when it comes to polio, please think about John and think about all the other folks cause it's been so long, we can't relate to polio, because most of you all . . . I remember going to school with kids that had braces on, and some other members of this body do as well.

So, I'm sorry to be long-winded about this, but the timing just seemed to me . . . I had to speak to it.

Thank you, Mr. President.

REMARKS OF
HONORABLE
JOEY GARCIA

Thursday, February 13, 2025

SENATOR GARCIA: Thank you, Mr. President.

I just wanted to briefly touch on the fact that Fairmont State being here today . . . they've had a great showing of their students. And I'm very lucky. I live right down the street from Fairmont State University. Often . . . it's about a half-mile walk, so my dog and I will go and take a little stroll.

And, if you don't know a lot about Fairmont State, you might not know that they are bringing first-class educators, nurses, health care workers, pilots with their expanded aviation program, national security professionals, and so many other future leaders in the State of West Virginia.

And truly, the Falcons are soaring under the leadership of President Davis and his staff, the faculty.

And it's always wonderful to see these students, and I got to talk to many of them here today. If you haven't, I would urge any members here today to go out and talk to them. They're excited to be here. And that's such a beautiful thing.

And when we talked to some of these students earlier, Mr. President, we asked them how many are from out of state. And a good many of them raised their hand. And I think it's incumbent upon all of us, and I know every member in this body and in this capitol wants to make sure that they have a spot, a home, and a job in the State of West Virginia. And I look forward to working on that.

But I'm just so glad to see them here today.

Thank you, Mr. President.

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

REMARKS OF
**HONORABLE
LAURA WAKIM CHAPMAN**

Friday, February 21, 2025

SENATOR CHAPMAN: Thank you, Mr. President.

The purpose of this bill is to permit religious and philosophical exemptions to existing mandatory vaccination requirements that apply to public, private, and parochial schools. The bill revises the existing medical exemption by eliminating the position of the state immunization officer and permits a physician, physician's assistant, or nurse practitioner to provide a written statement to the administrator of the child's school or state-regulated child care center that specific immunizations are, or may be, detrimental to the child's health or are not appropriate.

The bill provides no school or state-regulated child care center shall prohibit an individual exercising an exemption from participating in extracurricular activities or from attending school-based activities or events. The bill also has an anti-retaliation provision similar to that found in other parts of state code to discourage discrimination on the basis of seeking exemption.

Mr. President, I urge passage.

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

REMARKS OF
**HONORABLE
MICHAEL A. OLIVERIO II**

Friday, February 21, 2025

SENATOR OLIVERIO: Thank you, Mr. President.

I received correspondence from a constituent of mine, and I wanted to share from the letter that I received.

"Dear Senator Oliverio:

"I am a retired pediatrician, and I am one of your constituents.

"I'm writing to ask you to oppose Senate Bill 460, which will allow religious and philosophical exemptions to our school vaccine requirements. These requirements have proven their effectiveness in protecting our children, schools, and communities from unnecessary disease and death. Loosening these requirements will eventually lead to outbreaks of these diseases, including in our children, as the number of vaccinated individuals fall.

"I want to point out to you that there is a measles outbreak currently in Texas in an area with low vaccination rates which, as of February 14, 2025, had 48 reported cases, 13 of which required hospitalization. Thirteen of the individuals were less than four years of age, and 29 were ages five to 17. All cases were in unvaccinated individuals or those where the vaccination status was unknown. Hopefully, you can point this out to your fellow senators.

"As I indicated in a previous email, measles can cause a viral infection of the brain called encephalitis. And these patients can have residual neurologic damage.

"In addition, infection with measles virus can rarely result in a condition known as subacute sclerosing panencephalitis, which is a slowly progressive neurologic condition for which there is no treatment and will inevitably result in death.

"It can also cause ear infections, pneumonia, and an infection of the trachea known as laryngotracheobronchitis.

"According to the CDC, one to three out of every 1,000 children who become infected with measles will die from respiratory and neurologic complications.

"We could see such an outbreak in our state if we weaken our school vaccination laws.

"Measles is a highly contagious virus that can survive in the air for up to two hours. Up to nine out of 10 people who are susceptible will get the virus if exposed, according to the CDC.

"Before the vaccine was introduced in 1963, the U.S. saw some three to four million cases per year. Now, it's usually fewer than 200.

"I urge you to vote against this bill for the sake of West Virginia's children, and I thank you for your continued public service."

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

REMARKS OF HONORABLE RYAN W. WELD

Friday, February 21, 2025

SENATOR WELD: Thank you, Mr. President.

Religious liberty for me, but not for thee, I think is appropriate in this instance because this body had an opportunity, Mr. President, on amendment day, to correct what I think is a grievous error in this bill. And that error is not allowing for a school that is run by a church to adhere to the tenets of its faith and allow it to run itself in a way that it sees fit if it wants to require vaccinations, because that's part of their faith.

Many states allow for—and I'm sure we will hear discussion—many states have religious exemptions, and West Virginia is the outlier in that. But the absolute majority of those states also allow for a school that is run by a church to determine its own vaccination policy in line with the tenets of its faith.

And a lot of the conversation the other day centered on the Catholic church. They are one of the largest churches that provide schools in this state. We got over 4,000 students, 24 schools in 12 counties. I'm a Catholic. I don't often talk about my faith on the floor, mostly because I couldn't do so as eloquently as the Senator from Raleigh, the Senator from Greenbrier, the Junior Senator from the Eighth, from Kanawha does.

But it means something to me. I think it means a lot to a lot of people in this body.

But we had an opportunity to correct that error. And afterwards, the Diocese put out a statement, and I'll read it for everybody. "The Diocese of Wheeling-Charleston is monitoring the current legislation. We have always maintained our constitutional right to order our schools as we see fit in accord with our beliefs."

And what this bill does, very simply, is that it uses the power of the state, the power of government, to dictate to a church how it can operate itself. A church can no longer say we operate the school and we're going to do so in a manner that we see fit. This uses the power of the state to dictate to a church.

I cannot imagine what the reaction would be in this body if we read a news article that the State of California, their legislature, passed a law that required all priests, pastors, reverends, ministers, rabbis, to marry every couple that comes through their doors. It would be unconstitutional because the state should not dictate to a church how to operate . . . and we're doing so here.

You might hear today that there's an opportunity for Catholic schools to continue to operate a school the way that they want because they could declare themselves a microschool. The problem is, is that places a lot of burdens on parents. If you look at the microschool legislation, parents are going to have to notify the county superintendent of the notice to participate in a microschool. And then they're going to have to maintain copies of each student's academic assessments for three years. And then places additional requirements on the Catholic school itself. And so, I didn't think that this body was in the business of placing further burdens on parents and the school system.

It also disqualifies students to participate in WVSSAC athletics. So, Charleston Catholic, no more golf tournament; Wheeling Central Catholic, football playoffs are out of the question.

So, I just don't understand, Mr. President, why we are injecting the state and the state's authority into the manner in which a church can organize and run itself.

I'm very hopeful, Mr. President, that the House of Delegates fixes what I believe to be a

very grievous error in this bill and allows for true religious freedom in the State of West Virginia.

Thank you, Mr. President.

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

REMARKS OF HONORABLE MICHAEL A. WOELFEL

Friday, February 21, 2025

SENATOR WOELFEL: Thank you, Mr. President.

I look around this room and what an honor it is for me to be able to stand up here and speak among people that are all paying attention. They're all focused on the arguments and listening and . . . all successful . . . representing, I don't know, 107,000 citizens of our state. So, some of you don't know me, I might seem like I get off on a rant, but I'm certainly not trying to lecture anybody. And I respect everyone's opinion on this topic and any other topic for that matter.

When we discussed this the other day, there was a discussion about our vaccines . . . do they contain aborted fetal cells? They do not. Vaccines do not contain human tissue. The polio vaccine, rather, does not contain human tissue and, certainly, not aborted fetal cells.

So, I think that was an inadvertent statement but, nevertheless, I want to clear that up for everyone because when abortion is injected into a conversation or a discussion in this chamber, to me, it takes on a different tone. And, of course, that wasn't done intentionally to mislead anybody, but I needed to clear that up.

Number two, one of the vaccines that we're addressing here is the tetanus vaccine, which will no longer be mandated. I'm going to quote our governor from the other day. This is tetanus. Tetanus is a vaccine that eliminates a horrible disease called lockjaw. Probably never heard of lockjaw, but when you have our boys and girls that run around in our state barefoot in the summer and they step on a nail, you're going to

be hearing about lockjaw, if they're unvaccinated.

So here's a quote from Governor Morrissey, "A couple of items on the health side, over 250 doses of tetanus shots were delivered to Williamson Memorial Hospital. Health officials suggest anyone who was around the flood water or items in the flood to receive a tetanus vaccine." Governor Morrissey, "Since Saturday, the state has provided more than 700 doses of the vaccine to Wyoming, McDowell, and Mingo counties, according to the West Virginia Department of Health."

Now, there's an old saying, some people never believed in anyone's free speech except their own. I came up with a corollary to that this morning: Some people never believed in anyone's freedom of religious expression except their own.

Now, the Senator from Wood—my good friend—introduced a bill here, and I voted for it, posting the Ten Commandments in the schools around the state. Good idea, I don't have any problem with that. But that represents the Old Testament.

And I've got a bill for the New Testament. You know, the way I was brought up in Catholic school, the Old Testament scared me. It was like wrath and fear. New Testament, I like it better because it's about brotherly love and feeding the hungry, etc.

So, since we have the Old Testament represented in that bill, I'm thinking about a bill that would place the Blessed Virgin Mary statue in every school—that's the New Testament, that's the mother of our savior—including the nondenominational Christian schools. Yeah, let's make them put the Blessed Virgin statue in all their classrooms. If we did it for the Old Testament and it held up, let's do it for the New Testament. This place would light up like the Fourth of July if I had that bill, and rightfully so.

I don't have any right to dictate to some private, nondenominational Christian school what they put up in their classrooms. Just because I have one at my house that my dad gave me, statue of Mary, I don't have any right to impose my beliefs on anybody else.

Now, I just want to have a talk about . . . Somebody mentioned the Book the other day. And I know a little bit about that Book. That Book is not . . . when I took my oath, that's not a

prop for a photo op. That Book that was referred to is what we take an oath on when we come into this body and we swear an oath, we swear an oath to obey, to recognize, enforce the West Virginia Constitution. Now, that's a serious matter I know to all of us.

Again, we had no discussion on this the other day. I'd love to have some discussion today. Article III, Section 15 . . . in the West Virginia Constitution, religious freedom guaranteed. And it goes on extensively, prohibiting a state from overreaching and imposing its will on religious institutions arbitrarily.

Now, the Catholic schools do have a right to administer their own schools, and they have the right to determine enrollment of their own schools. You take that away from them here.

When we have a law that affects the Constitution, there's a very high standard. And that standard is a compelling state interest. Is there a compelling state interest for this bill? I want to hear it because we're going to make what's called legislative history today. Legislative history is what a judge will look at when this case, when this bill is challenged in the courts, the judge is going to say, well, what was discussed in the Senate, in the House, and what were their reasons, what were their compelling reasons, compelling reasons to impose upon the religious freedom of the Episcopalian, Presbyterian, and Catholic schools and child care centers? So, I mean, I'm not going to try to argue with anybody, but stand up and let's make some legislative history. I want to hear, so the judge can view the video of this hearing, I want you to articulate what your compelling state interest is.

I urge a "no" vote.

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

**REMARKS OF
HONORABLE
MICHAEL A. OLIVERIO II
AND
HONORABLE
MICHAEL A. WOELFEL**

Friday, February 21, 2025

SENATOR OLIVERIO: Senator, I want to make sure I understand what you're saying.

Are you saying that if a Catholic school, as mentioned by the Senator from Brooke, were to have a family show up for school, and they indicated that, hey, we're going to avail ourselves of the state law of a philosophical, religious . . . philosophical or religious exemption, are you saying that the school would be required to admit those children?

SENATOR WOELFEL: They are mandated . . . we are making them take these children, yes, despite the quote of the bishop.

We need to protect these children, and also the teachers and staff who are with them, but also the wider community. We're helping by having children who have the proper immunizations. It really contributes to the good of the entire state.

We think it is proper to maintain the protocols we have in place for immunization of our students. So, yes, that particular group, the Diocese of Wheeling-Charleston, would be compelled to take unvaccinated students under this bill as it's written.

SENATOR OLIVERIO: Thank you.

SENATOR WOELFEL: Thank you, Mr. President.

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

**REMARKS OF
HONORABLE
JACK DAVID WOODRUM**

Friday, February 21, 2025

SENATOR WOODRUM: Thank you, Mr. President.

A few days ago, in the Senator from Cabell's statements, I was reminded of a statement from President Reagan during a debate. And it was meant to be a humorous statement, but he had said that, as I recall it, "I will not, for political purposes, exploit my opponent's youth and

inexperience." And I don't look at anybody here as my opponent, but I do think about youth and inexperience. And I think probably most of us, especially the Republicans here, have seen that those remarks—which, like I said, have been over 40 years ago—I'd say we watched them live, you know, when that happened.

And it's a little more personal to some of us that have lived through this, that grew up with people that suffer from these illnesses. And as I stated before, I've been very aware of it because my father was a physician. And, you know, growing up as a kid, I remember conversations where he was calling around trying to find an iron lung for a kid to go into. And, you know, my fear, I've heard all the statistics that have been offered, but my fear is that we're going to, to some degree, go back to those days.

And I would like . . . You know, I know this bill is not in its final form. I know the House of Delegates is going to take it up, and I'm sure it will be back in this body. But when it's all said and done, I'd like to see some version of advice and consent in this to where, before somebody has the opportunity to withdraw their child from these vaccinations, that they're counseled as to what the potential side effects are to that, and then the potential outcomes for other members within their communities, as to what that's going to look like. And then the reporting requirements.

I think it's very important. You know, we pride ourselves on making good decisions using good information. And if we don't have any information, we certainly can't make good decisions. So, I think, you know, moving forward, I think that's important for us when we come back, maybe at another time, to see the effects of the legislation that we're contemplating passing.

You know, all this started . . . we go back to vaccine injuries, and that's where really this all started at. I'm very sympathetic and I wholeheartedly agree that there are vaccine injuries and we need to find a way to deal with that.

I think . . . My thoughts about it, and I've had this conversation for four years, I think that the true answer is at the federal level. And I think this current administration will delve into that. And I'm hoping they'll be very successful.

I don't necessarily think that what we're doing today is the answer, although I think there

should be medical exemptions that are much broader than what we've had in the past here in West Virginia.

And I stated on the news the other night, and I'll state it here again, the religious exemption portion of this . . . to me, this is a philosophical bill. You know, it's not a religious exemption. I guess that's a matter of opinion. That's mine. But I find it offensive that this bill has been packaged as some sort of religious exemption. And I know everybody here will have their own opinion, and I respect that, but, you know, to me, this is a philosophical exemption.

And like I said, I think we do need to come back. We do need to find the answers for these kids that are potentially injured by vaccines. But I'm afraid we're going to create a far bigger problem and injure far more children and far more adults if we're not very, very careful in how we handle this issue.

Thank you, Mr. President.

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

REMARKS OF HONORABLE TOM TAKUBO

Friday, February 21, 2025

SENATOR TAKUBO: Thank you, Mr. President.

And if you would grant me just a brief liberty before I start remarks . . .

I just want to thank you, Mr. President, thank the body. You granted me an extreme professional courtesy because you knew I was passionate about this issue to let me come back and vote my conscience. The body knows I was still working on behalf of the state. We had a meeting with . . . a national opioid conference where we met with thought leaders, including our former Dr. Gupta, who was the National Office of Drug Control Policy for the past four years—it's the first time in two decades where overdose deaths have actually started declining across the United States . . . while he was at the

helm—along with our own Dr. Stephen Loyd, and others. And then we, along with pharmacy folks from WVPEIA, met with multiple companies to try to help curb the cost of PEIA a little bit. And they were very fruitful trips. So again, I would like to thank you, Mr. President, and thank the body for allowing me to have the privilege to still speak on this.

Mr. President, in terms of Senate Bill 460, it's just confusing to me, because, you know, the governor brought up in his State of State address that West Virginia's got a lot of problems. And he's right. He's completely right.

There are a lot of things that we rank last, or near the bottom. Health outcomes, we've got some of the highest cancer rates, diabetes rates, cardiovascular disease . . . education is not where any of us would want it. But in this instance, in immunizations where we can protect the most vulnerable of our society, children, against preventable . . . And I think that's a key thing that everybody needs to remember: These are preventable childhood diseases that we're protecting our children . . . We rank number one. Number one in the country.

I know there are arguments that they say, well, we . . . other states have different exemptions. Other states also have a lot of outbreaks, and they have a lot of death, a lot of morbidity.

There's children that will have seizures the rest of their lives just in neighboring states that just occurred two years ago. Texas is having a horrible outbreak, as mentioned here on the floor earlier. These kids will never be the same. If you look at the CDC map, West Virginia looks like there's a halo. There's an entire flood of color around every single surrounding state.

Everything we do, we often compare ourselves to our neighbors, and our neighbors' children have all suffered at the hands of preventable childhood disease. But we have a wall protecting West Virginia, protecting the children of West Virginia, that I'm very proud of. Very proud of. So why, when you're number one, do you want to tear that down? In fact, not only are we tearing it down, we're doing it in a way that we're not likely just to become number two, number three, we're likely to drop clear to the bottom.

This bill is a philosophical bill. There's not barriers where things have to have documentation. There's not . . . People don't

have to go through certain hurdles to get these. You sign it on a napkin and send it to the school. Our state is one of the worst vaccinated in the country until age five. And then at age five, because of the vaccine policies we have here, we put a protective wall around the children of our state against preventable childhood death and disease, and we're going to tear that down today.

Why is that, though? I can't understand it. So, there's been several theories. There's been several things talked about, one of those being religious freedom. Well, religious freedom means you have the choice, the choice, Mr. President. Christian schools of this state have overwhelmingly reached out and said it is our belief that we should continue to vaccinate our children. You see, religion often looks at the needs of the many more so than the wants of a few. The classic example of that is Jesus Christ himself. There was comments made in Health Committee, well, but you're forcing somebody to put something in their body. Jesus Christ had a lot of things put in his body for all of us. He paid an ultimate sacrifice for all of us. The needs of the many was far more important than the want of the one.

These schools say they would like to have the choice, and we are taking that away. This conservative body is taking away the choice of our Christian schools to maintain a vaccine policy, which is important to them. It's part of their belief.

Maybe it's not about religion. Maybe it's about some philosophical exemption that you have. Maybe you just think, you know, they should just have the right to choose for themselves, it has nothing to do with religion.

Well, this isn't anything new. And in fact, the first widespread immunization campaign that ever existed was from George Washington. George Washington knew the greatest threat to the Continental Army was not the Haitians, or the Hessians, or the British, it was smallpox. He mandated every soldier in the Continental Army to be vaccinated against smallpox.

It was very controversial at the time. Same type of arguments that we argue right here today, 250 years later, but he knew the needs of the many outweighed the wants of the few. And, as a result of that, we stand here today in one of the greatest countries in the world from the man who started the first vaccine policy.

But maybe it's neither one of those. Maybe it's not philosophical. Maybe it's not religious. Maybe you think that this is what the people of West Virginia want. So let's talk about that. Last year, Mark Curtis, a good friend, a popular political news reporter, went out on the streets. And he wanted to do a point and counterpoint. So he went out for hours. He couldn't find anybody, Mr. President. The citizens that we stand here and represent, he couldn't find anybody that was against the mandate for school vaccinations to protect their children against preventable childhood disease.

There was a petition left in my office last week. And I've been here for 10 years. I've seen many petitions. I have never seen one with 6,558 parents who have already signed this saying, Legislature, we don't want this. Never. Maybe a couple hundred, maybe a few hundred. I've never seen 6,558. And those signatures were from 2025. This isn't an ongoing roll.

But what about the rest of the state? You may say, "Well, that's Charleston, maybe the rest of the state doesn't feel that way." There was a statewide poll performed in July of 2024 by Huron, it's a national polling group. And they asked, "What about," to all across West Virginia, "What about childhood vaccines? Is it a good idea or a bad idea?" 86.6 percent of West Virginia said it was a good idea. That's who we represent. That's our voters. That's . . . I've said many times, none of us have been elected to be king or ruler, we're supposed to be speaking for the people of West Virginia.

If you look at the eagles on the top of the Senate chamber, their wings are spread. It was said we represent 107,000 people. We're supposed to look at the population and say, "What does the population that we represent want?" Not what we want as a person, not what we want to see happen, but the people we represent, what do they want to see? Well, 86.6 percent said they think childhood vaccines are good.

And I'll go a step further. If you want to get political, 80.6 percent Republican thought it was a good idea, 90.4 percent of Democrats.

But then they went a little step deeper into this, and it says, "Should the state continue to require the mandate for school vaccinations?" It dropped a little bit. 65.1 percent of West Virginia—about the same percentage that President Trump won across West Virginia—said they believe that it should continue to be a

mandate. Twenty-seven percent said it was still a good idea, but they weren't sure about whether it should be a mandate. But it was more than a two to one. In this state, the people we represent, 65 percent believe there should be a mandate.

And then they said, "Well, what's the most reliable source of information regarding childhood disease and immunizations?" Fifty-five percent said their physicians is who they trust on this decision, makes sense, 4.3 percent said hospitals, 16.4 percent said medical schools.

So, over 70 percent of the population of West Virginia said the people that should be listened to when we're making decisions about the health and lives of the children of this state should be made by them. Maybe that's not enough. Maybe the three physicians that testified in Senate Health, who all, by the way, told the Health Committee this is a bad idea. This is a bad idea. You had pediatric specialists from Marshall University, WVU University—so this includes the doctors, hospitals, and medical schools—told the Health Committee this is a really terrible idea, you're putting the lives of our children at risk for preventable disease and death.

But maybe those three physicians retained it. So let me read to you who else has spoken out that are either a doctor, hospital, or medical school: The American Academy of Pediatrics in the State of West Virginia said please don't do this; the American Cancer Society Cancer Network of West Virginia says please don't do this; the American College of Emergency Physicians; the American College of Nurse-Midwives, West Virginia affiliate; the West Virginia College of Obstetricians and Gynecologists; the American College of Osteopathic Family Physicians; the American College of Physicians, West Virginia chapter; the American Physical Therapy Association, West Virginia chapter; Mountains of Hope Cancer Coalition; The Center for Rural Health Development; the Leukemia and Lymphoma Society.

Because a lot of these individuals, Mr. President, it's maybe not the children, but it's those grandparents that have weakened immunities that is going to suffer from preventable disease that they should have never had. And oftentimes these are the only thing these children have left to raise them.

There was one staggering statistic. I heard on Tuesday that across West Virginia, 42 percent of

children currently are being raised by a non-biologic parent. So then we're going to bring death and disease on the only people they have left.

The West Virginia Academy of Family Physicians; the West Virginia Association of Deans and Directors of Nursing Education; the West Virginia Association of Local Health Departments; the West Virginia Association of School Nurses—I think one in 34 people in the State of West Virginia is a nurse—the West Virginia Children's Hospital Collaborative; the people who take care of our most vulnerable.

The West Virginia Education Association, who also has a lot of FQHCs [Federally Qualified Health Centers] are in our schools; West Virginia Families for Immunizations; the West Virginia Immunization Network; the West Virginia Independent Pharmacy Association; West Virginia Nurses Association; the West Virginia Organization for Nursing Leadership; the West Virginia Osteopathic Medicine Association; the West Virginia Pharmacist Association; the West Virginia Primary Care Association; the West Virginia Public Health Association; the West Virginia Rural Health Association; the West Virginia School Board Association; the West Virginia State Medical Association; the West Virginia Women's Alliance; mothers are asking us, "Please, please, Legislature, don't do this, don't put our kids at risk for preventable illness and death"; West Virginians for Affordable Health Care.

Everybody stood in Health Committee. All these organizations are saying, "Guys, if you do this, it's against medical advice." In the hospital when we're treating somebody that has a significant problem and they say, "You know what? I'm not going to do this. I'm leaving." We say, "Well, that's okay, but you're going to sign against medical advice." Because we know that if you do that, you put yourself at exponential increased risk for really bad things to happen that didn't have to happen. And that's what we're doing to the children of West Virginia.

So then that leaves the question for me, who wants this bill? It's not religious schools. I mean the vast majority are begging us, "Let us decide on our own. That's the freedom of choice." It's not parents. People of West Virginia have overwhelmingly spoken on this issue. It's not the medical community. I think I've nailed that. So, the only persons I can think left are trial attorneys. Not all of them. But in Senate Health the only proponent was a trial attorney. A trial

attorney from L.A. that makes his living—hundreds of thousands of dollars, his entire law firm—on suing on vaccine issue.

So, is that what we're doing? Are we kowtowing? If it's not the churches, if it's not our people, if it's not our medical community, are we doing this for trial attorneys in the State of West Virginia so they can create lawsuits? Because that is the only person that spoke. There was a gentleman with his daughter that spoke over medical exemption. But in terms of religious and philosophical, there was none.

Mr. President, there's a few things we can't fix in the Legislature. I'm sure I've made many mistakes. The one good thing about that is we always have the ability to come back. We can pretty much fix anything that we mess up on. But you can't bring back a child. You can't bring back a grandson or a granddaughter. You can't bring back a nephew or niece. You will never take that pain away from a parent who has lost a kid from a preventable childhood disease that we haven't seen here in many, many decades. What's the reason—we've talked about it—because of our vaccination policies.

I'll end with this, Mr. President. There's a quote by George Santayana. He was a philosopher back in the early 1900s. He said, "Those who cannot remember the past are condemned to repeat it." And I'm fearful that's exactly what we're about to do.

I urge a "no" vote, Mr. President.

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

REMARKS OF HONORABLE BILL HAMILTON

Friday, February 21, 2025

SENATOR HAMILTON: Thank you, Mr. President.

Well, my experience in the Legislature, 16 years in the House and now six years in the Senate, I've made some very, at times, controversial votes. Sometimes I prevailed,

sometimes I didn't. But I never made a vote on the floor of the House or the Senate anticipating next year's election. And I've heard rumors that some have been threatened, "You're going to be primaried next time." Well, my advice is you've got to vote your conscience, you've got to vote on facts, and that's the way you do it. You don't worry about the next election.

And I've got a short story. Back . . . early in my House career, young lady called me. She wasn't from my district. And she said, "I want you to run a bill for me." She said, "It's a vaccination bill." I went, "Oh." I said, "Can't you get someone else to run it?" "No, nobody in my district will run it for me."

Now, at the time, we had a rule that if you ran something and you really wasn't in favor of it, you just put "By Request" and then the chair of the committee knew that it wasn't going anywhere. Well, I didn't do that. I ran the bill. It didn't go anywhere. It died in committee.

Well, that spring, of course being a House member you've got to run for reelection every other year, and you get about an eight-month break. So I was out campaigning, putting signs out and I went to my buddy's house from high school, George Hamner, Jr. Now, George Hamner, Jr., was the same occupation as our president of the Senate, coal miner. And he was pretty direct. And he said, "Tell me about this bill you ran on vaccinations." I said, "Well, this young lady asked me to do what I did as a favor." I said, "It didn't go anywhere." And he said, "Well, well, that's good it didn't go anywhere." He said, "But I want to paint a picture for you. My daughter is a fifth grade teacher. She's eight months pregnant." And he said, "Now, one of those children that your bill said didn't have to be vaccinated came in and infected her with measles." And he said, "You not only infected my daughter, but you infected my grandchild that's on the way." And I looked at him, and the only answer I could come up with, "I never thought about it that way." Well, I won't tell you what the language he used in addressing my answer was . . . well, you're blank, blank, right you didn't think about it.

I'm a "no" on this.

My sister married Ralph Houston Hoover. The man didn't weigh over 110 pounds his whole life. He was a coal miner first for about 10 years and then they moved to Ohio, and he went to work in a machine shop. He had polio. My mom told her, she said, "You are going to be taking

care of that man the rest of your life." And she did at the end of his life because he had developed black lung from working in the mines. But he was a great brother-in-law, a little stubborn, but he was a great brother-in-law. The man couldn't turn around unless he turned his whole back because he had had polio.

I can't make the vote, the vote "yea" on this. It's got to be "no".

Thank you, Mr. President.

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

REMARKS OF HONORABLE PATRICIA PUERTAS RUCKER

Friday, February 21, 2025

SENATOR RUCKER: Thank you, Mr. President.

I'll speak very briefly.

There's a lot of things that I could say, but I really don't want to mislead people into a discussion on vaccines, how well they work, about vaccine injuries.

You know, we could bring up the constituents that have come to us, and I know they've spoken to everyone in this Senate chamber. There have been folks that have come here and talked about their experiences after they've been injured with a vaccine. But that's not what this bill is about.

You know, we . . . right now in this state . . . are prohibiting a public and private education to individuals. We are prohibiting kids, children from participating in sports and extracurriculars. We are prohibiting them from summer camps. We are prohibiting them from 4-H. We are prohibiting them from FFA. We are prohibiting them from . . . there's a whole long list.

And what this bill says, and I'm reading directly from the bill, this is [sub]section (k): "[N]o state action may...[s]ubstantially burden a person's exercise of religion unless" it "is essential to further a compelling governmental

interest" and "is the least restrictive means of" achieving that interest. A number of citizens have religious and moral objections to one or more of the vaccines on the compulsory immunization list contained in this section. Compulsory immunization forces those West Virginians to choose between their religious belief and their children's fundamental right to a public education. Forcing West Virginians to vaccinate their children despite their religious and moral objections substantially burdens the free exercise of religion in violation of the constitutions of the United States and West Virginia and, further, is against the public health policy of this state.

Now that's not law yet, but that is what we are saying with this legislation.

Thank you, Mr. President.

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

REMARKS OF HONORABLE JOEY GARCIA

Friday, February 21, 2025

SENATOR GARCIA: Thank you, Mr. President.

So we've talked about . . . or the premise of this bill being religious freedom. When you look at the testimony, we really didn't hear a lot about that. And even if you look at religious freedom, there are a number of things. There's a number of times where that freedom just doesn't extend to anything someone wants to do.

If you're Rastafarian, you can't just have marijuana in violation of the laws of the State of West Virginia. If you are, because of your religion, against war, you can't prevent your tax money from going to the United States armed forces. And, as the Senator for Jefferson mentioned, compelling state interest. The public safety, the public health, and the eradication of disease is certainly a compelling state interest.

And the interesting thing I think about that section that was read is when it talks about the

public health interest, that is a competing interest to a person's religious liberties. But it's one that our United States Supreme Court has held is justified.

But really it seems this stopped being a bill about religious freedom a long time ago, and most likely that's because some of the testimony, some of the letters that we've received, whether it's from the bishop, whether it's from the United Methodist Church, does not support that this is based, at least that this bill is based, on religious freedom.

As it's been mentioned before, it's about philosophy. And it's so broad and so easy for anyone to be exempt from these important immunizations.

But what we did hear from with the medical testimony was that there has been more research done about the efficacy of immunizations. Years and years of research, generations of people when it comes to polio and measles, about how safe they are. And nothing's foolproof. We've heard from the attorney about vaccine injuries. And yes, those things happen. And we have a system in the United States set up to try to help compensate people where there are those anomalies. But more or less vaccines are safe. And we did not hear from any medical professionals, any testimony in the Health Committee, or otherwise, that I've seen to dispute that.

So, at the end of the day, we have a difference of philosophy that has eaten up this rule. We really don't need the rest of the bill. We don't need a religious exemption. No one's going to use it. We could have worked on medical exemptions. And that was one bit of testimony that we heard from a family that said they had a tough time trying to get through that process, Mr. President. But you don't need that either anymore. You need a piece of paper that's submitted. And that is all. And that is so broad. And I just fear . . .

I think the constituents that have reached out to me fear that this is going to cause a strain on our health system, a strain on our families, and again, possibly the worst of the worst, the death of somebody who is vulnerable, who's immunocompromised, and who otherwise needs the support . . . not just of making this choice of taking the vaccination. I've heard a lot of people say that to me too, "Why can't someone just get the vaccine if they're scared?" And the key is that's not how herd immunity works.

And so, for all these reasons, I'm a "no" on this vote.

Thank you, Mr. President.

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

REMARKS OF
**HONORABLE
MICHAEL A. WOELFEL**

Friday, February 21, 2025

SENATOR WOELFEL: Thank you, Mr. President.

Again, we know there's going to be a lawsuit over this bill.

We know that among other parties, the Diocese of Wheeling-Charleston has signaled through its press release that it will go to court to protect its religious freedom, its right of religious expression, its right to control the enrollment and administration of its schools.

So, last chance everybody. That judge in that case needs legislative history. He needs people to get up and tell the world what the compelling state interest is to impose the will of the government on a religious institution. So let's get up and say that.

And sadly, you're going to lose the whole bill. When this bill is declared unconstitutional two, or three, or four years from now . . . there'll be a stay in the meantime. Lose your whole bill.

Thank you, Mr. President.

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

REMARKS OF
**HONORABLE
ROBERT MORRIS, JR.**

Friday, February 21, 2025

SENATOR MORRIS: Thank you, Mr. President.

This is a tough issue for me.

I believe in individual freedom. I believe in religious freedom. I believe the foundation of our country is freedom.

I also believe in public health and public safety. I believe in childhood immunizations. I believe they work for the vast majority of people.

I also believe in vaccine injury. And I believe they occur.

This is a tough issue for me, Mr. President, because there are good and bad parts of this bill.

I believe the current medical exemption process under current law is ridiculous. I believe having the overwhelming majority of medical exemption requests denied by one person who never sees a child, even after reviewing medical information from their physician, is just wrong. This bill fixes a lot of that. That is good.

I believe having to be vaccine injured in order to receive a medical exemption, essentially under current law, is absolute lunacy.

I believe a person of faith should not be forced by the government to do something that is against the tenets of their faith. That is currently what is happening and I believe that to be wrong. The problem is, this bill doesn't fix that problem. It just switches it from one end of the spectrum to the other. We are telling a private religious school that if vaccinations are a tenet of their faith, and you want to require it, you can't do it. That's not religious freedom.

My mother, respectfully, over the years told me that two wrongs do not make a right.

The philosophical exemption is a problem with this bill. If we go down the route of allowing people to opt out of public health and public safety requirements because they don't like them, I feel that is a slippery slope.

I have heard from medical and religious advocates. I have not heard from one philosophical advocate.

I have heard from many, many people in my district that do not support this bill.

If this bill allowed for pure religious freedom, I would support it. If the bill added . . . the medical exemption provisions that are in the bill we're discussing now, if just those were in there, I would absolutely support it. However, the philosophical exemption and the restriction of religious freedom from a different angle is something I can't support.

Now, normally, in most speeches at this point, the speaker will urge somebody to vote . . . support or oppose. And I'm not going to urge you to do one thing or the other, other than to do what practically every person in this body has told me to do from the moment I was elected and knew I was going to be a member . . . and that's to vote your conscience.

I came down here to represent the people of the eleventh district, and I feel they have the faith and trust in me to do what I feel is best.

I found very quickly in this job that it is oftentimes very difficult to address opposing views on an issue. I believe we had the opportunity to do that, and like somebody else mentioned, I hope we have that opportunity again to do that. I believe there is common ground that can not only provide for the freedoms for people, but also save our public health status.

So, Mr. President, I would urge us to vote our conscience.

Thank you.

Relating to vaccine requirements

*(Passage of Eng. Com. Sub. for
Senate Bill 460)*

**REMARKS OF
HONORABLE
LAURA WAKIM CHAPMAN**

Friday, February 21, 2025

SENATOR CHAPMAN: I wish to close debate. Thank you, Mr. President.

The Senator from Upshur made reference that there were threats of primarying somebody. I just want to make it clear to the people in this body, I never made threats either directly or indirectly and would never make a threat over a vote of a bill. Never.

Who wants this bill? I guarantee you it's not trial lawyers from California. They can't sue. They cannot sue the pharmaceutical companies. Under the 1986 Childhood Vaccine Injury Act, these pharmaceutical companies have complete immunity. It works much like a workers' comp board. If you're injured, you have to go to Congress under that board and ask for money. Can't sue the pharmaceutical companies.

I'll tell you who does want this bill. Mothers who have seen their children harmed by these vaccines. They don't want to vaccinate any more of their children or give them any more. But guess what? Those children are being denied their education. We've all had those mothers show up at our doors.

And it's offensive to think that we're doing this for a trial lawyer.

I do want to correct the Senator from Cabell, who I respect very deeply. Discussions of polio not having aborted fetal cells, the Children's Hospital of Philadelphia says otherwise. And I quote, "WI-38 cells from that single abortion were shared with researchers around the world and used to develop vaccines against polio, rubella, and rabies." So the polio vaccines were developed using aborted fetal cells.

Much was made about a lawsuit. There won't be a lawsuit. I mean, I guess anybody can sue, but there won't be a lawsuit because I made sure in my months of drafting this bill that it would withstand scrutiny. I ran it by lawyers who I respect who deal with this. There's not going to be a lawsuit.

But you know what? There are lawsuits in West Virginia. There are . . . from children trying to get an exemption. And there was a court, and I believe Clarksburg Federal District Court, *Perry v. Marteney*, who said our law as currently written is violative of the child's First Amendment rights under the federal constitution.

If we want to minimize lawsuits, we need to pass this bill.

Now, I thought that we were done with the whole private school discussion during the amendment phase. The Senator from Brooke says it's a grievous error to pass this bill. This is existing language in the law. The governor didn't add private and parochial schools to this bill. I didn't add private and parochial schools to this bill. People in this very body 10 years ago added them to the law, and now they suddenly have a difference of opinion and think private and parochial schools shouldn't follow our public health laws.

Well, if that's the case, then we also need to get rid of West Virginia Code §18-28-6. Then our private school laws don't have to follow our fire code, our sanitation laws, or our public health laws. Just get rid of it.

Private schools at this very moment, under our laws existing today, have to, have to, are mandated to accept children who already have medical exemptions. They have no choice. Whether it violates their religion or not, they must accept children with medical exemptions.

Private schools can still set their policy. They might not want to be a microschool designation, but that is possible under our law. And, quite frankly, there's really no difference on the reporting requirements, the standardized testing. And, quite frankly, there's already talks about fixing the SSAC problem. This can be handled on the back end.

And I am Catholic. I attended the great Mount de Chantal Visitation Academy in Wheeling, which unfortunately was shut down several years ago. I received an excellent education. I'm still . . . I've been a Catholic my whole life. I still practice Catholicism. No denigration to the Catholic schools . . . none. I support them. But they also include children not just of the Catholic faith, they include children of all faiths which might not believe that vaccination is part of their faith.

So I guess it's a policy question for this body. Do we put the rights, the religious rights of the Catholic entity, or any religious entity, over the individual rights of the child, their religious beliefs?

Now, to finally get to the bill. I just want to clear up some of those comments.

There's a lot of misinformation and disinformation out there.

I want to make it clear no one is taking away anybody's vaccines. You will still have access to the polio vaccine. You will still have access to the tetanus vaccine. You will still have access to the MMR vaccine.

I am not an anti-vaxxer. I think vaccines are safe. They do prevent disease. And I encourage everybody to get vaccinated unless somebody has a religious or philosophical issue to it. Simple as that. Or a medical, of course.

The public safety infrastructure is not harmed by this bill in any way, not in any way. We have a reportable diseases manual through the Office of Epidemiology and Prevention Services. This is a six-page document. It has hundreds of diseases on here, including ones that are not vaccine preventable.

There are all sorts of ways for . . . if there's a measles infection that has to be reported within 24 hours, hepatitis within 24 hours. Our public health infrastructure is not deactivated in any way. And, by the way, we could see an outbreak for any disease, even vaccine preventable ones.

Another point is that there are still mandates to attend school. This bill still has mandates. We're talking about exemptions. The mandatory rules are still there. To enter school, you must be vaccinated against the vaccines that we require . . . unless you have an exemption.

Now, the Senator from Marion brought up religious liberty. And that's a very complicated body of law, as you know. And I respectfully enjoy our debates. I will say, generally speaking, religious liberty is so complicated. There are court cases that say, yes, sometimes the government can impinge on your religious beliefs. There are. And courts also look at whether that's . . . your religious beliefs are being trampled on by the government for a privilege or a fundamental right.

Education is a fundamental right. We have no business trampling on a child's religious beliefs for a fundamental right to have an education.

And let's talk about this. I'm not going to say that there's not the risk of a disease in West Virginia. I'm not going to say that. There is the risk.

But let's talk about where we are in result to the other states. The red are states who do not allow religious or philosophical exemptions: California, New York, Connecticut, and Maine.

Look at all the white on this map. West Virginia, we're kind of in the middle there sticking out like a sore thumb.

This law is not something crazy that anti-vaxxers want. This is bringing us up with 45 other states that realize that religious beliefs need to be respected, and they find that public health . . . it's safe and effective for public health to allow these children to have a religious or philosophical exemption.

Our surrounding states are all sub-herd immunity levels. And these are numbers from the CDC. I'm not making this up. The CDC says all of the states around us are around 4 percent or lower. There's no reason to believe West Virginia will be any different.

In fact, in 2023, another federal court case was brought by a child about violating their religious beliefs. And that court also found that that law in Mississippi violated a child's First Amendment rights. They overturned that law. Since 2023, the numbers dropped, you know, with the exemptions, pretty much predictably. The numbers dropped from 99.3 percent exemption rate to 97.5 percent. There was a drop. It wasn't like it was 10 percent. And there's no reason to believe that will happen here either.

This bill fixes the medical issues that we've heard long and hard about.

As a mother—I have two children—if I had vaccinated my older son and he had a reaction, there's not anything in the world that I would do to vaccinate my younger child. I wouldn't risk either one of my children's lives. But our law as currently written, that's what is asked for a child to go to school. And that's purely hypothetical.

Now, we did hear from a father and daughter. He has spent tens of thousands of dollars in legal fees trying to allow his daughter who is seeking a medical exemption for a medical reaction to a vaccine to be able to attend school. Tens of thousands of dollars. And guess what? That litigation is still ongoing, and he is still paying these legal fees. And guess what? She's a sophomore in college.

We're worried about outbreaks. That's fine. But these children already exist in West Virginia. They're on our playgrounds, they're at our Walgreens, and they're at our state fairs. These kids exist.

And we talk about schools and unvaccinated people in schools, how it could potentially cause issues for people. Well, guess what? We don't check or require teachers or staff to be vaccinated. There could already be unvaccinated people in our schools.

You know what else we don't check for? Any students who play sports from our neighboring states when they come in and play tournaments against our West Virginia students. Maybe we should mandate that too. I'll see how many calls we get for that.

I know of no person in this body who is anti-vaccination. But there are real harms being done by our law as currently written, and this bill is done to fix those harms.

I urge a "yes" vote.

Thank you.

Memorializing life of Wanda Porterfield Casto

(Adoption of Senate Resolution 13)

REMARKS OF HONORABLE ERIC J. TARR

Wednesday, February 26, 2025

SENATOR TARR: Thank you, Mr. President.

I want to rise in support of this resolution.

Wanda's a beautiful soul. And she was a beautiful soul when she was here with us, and I'm sure that in the place that she's in now, she shines just as brightly or more so there.

When I first came to serve in the Senate in 2019, Wanda was my assistant. And so, as many of the senators in here will appreciate what it feels like to be a green senator, I had somebody who was masterful at understanding this process and then making it fun to learn.

She enjoyed this process. And she enjoyed the people of the Senate, enjoyed the people of West Virginia in such a large capacity, probably

more so than anybody I've met up here. She found the positive out of everything that we had to encounter up here in the time that she was here as my assistant, and my friend as I moved out of that office into other offices and with other assistants.

Wanda would always give this daily encouragement. And I'm sure if you knew Wanda, you probably had these messages. And you would think that these messages would be something she would just send out in some sort of mass text daily, or sometimes multiple times a day—and this is an incredibly busy woman. Those messages would be very specific to instances that we were encountering that day or something that we were getting ready to encounter.

So she put her heart and soul into lifting others. I got to . . . I was really blessed to be one of those individuals that she put that energy into.

And so I've missed her every day since we've lost her here. But as much as she had faith in Jesus and faith in where she was going, I know she's not lost to us because her words are still with me every day.

So, I strongly support the resolution, and welcome, family.

**Memorializing life of Wanda Porterfield
Casto**

(Adoption of Senate Resolution 13)

**REMARKS OF
HONORABLE
MICHAEL A. OLIVERIO II**

Wednesday, February 26, 2025

SENATOR OLIVERIO: Thank you, Mr. President.

Also, just . . . I really want to commend our clerk for a beautiful resolution that really captured her life and service. And so, Mr. Clerk, thank you.

Any description of Wanda Casto would have to involve four words: Faith, family, food, and fun.

Wanda was a woman of tremendous faith. She had accepted Jesus Christ as her Lord and Savior, but she didn't have to tell you that because you knew that by simply observing the way she lived her life. Even in the later days—and I know many senators and former senators went to visit her in the hospital—she continued to have the strongest faith. She knew where she was going, and she had faith that was everlasting.

When it comes to family, the resolution read that she was born in Bluefield, born a twin at the Bluefield Sanitarium. And, as I started to date my wife, Wanda pulled me aside one day and she said, "I understand Melissa was born in Bluefield." And I said, "Yes." And she said, "Well, I was too." I said, "Wonderful." And she said, "You know, women born in Bluefield make wonderful wives." And so, that was Wanda's blessing on me marrying Melissa.

So she grew up in a strong family. Eventually started a family of her own with David, the finest man you would ever meet, David Casto; daughter, Lisa, her husband, Chris, children Abigail and Austin.

Wanda and David would frequently invite Senator McKenzie and I to their home for dinner.

Wanda helped Senator McKenzie and I in those pod offices that we have in the west wing. Wanda was between Senator McKenzie and I for many, many years and became our mother at the Senate. And she was just tremendous for us. She had her church family that she was very engaged with, but this Senate family was a special place with her.

Next, food. You know, I say that Senator McKenzie and I both added one loop to our belt each session as she brought in baked goods and all kinds of food.

And the meals at her home were wonderful. We so much enjoyed those evenings when we would slip away from the political scene, go and relax at her home. Her daughter, Lisa, would often show up. Sometimes I would be there with my children, and Austin, a grandson, was about the age of my son. In fact, they passed on toys and clothes from Austin to my son. And wonderful . . . just family relationships and food. Always wonderful.

And then fun. You all saw Wanda with a smile on her face walking the capitol. I can't

imagine how many thousands of miles Wanda walked in this building.

And I'll tell you another thing you might not know, from those visits to her home, Wanda was quite a ping-pong player. And it was kind of embarrassing to lose a game of ping-pong to a person 20 years older than me, but I never beat her in ping-pong. And she had that smile that was always on her face when she was walking . . . on her face the entire time while she was playing ping-pong.

So, faith, family, food, fun. That really sums up the life of Wanda Casto.

And one time somebody asked me, a new senator said, "Hey, you know, where do we get staff people? How do we find people? You know, I live in the Eastern Panhandle. How do I find somebody here in Charleston?" And I said, "Well, to be honest," I said, "God sends them here."

And when I think about Wanda Casto, 35 years ago God looked at Wanda Casto and said, "How can this woman serve my flock?" And He decided the way she could best serve his flock was to come to the State Senate, and she could help make senators even better, and she could help make us even better people.

Mr. President, I urge adoption of the resolution.

Memorializing life of Wanda Porterfield Casto

(Adoption of Senate Resolution 13)

REMARKS OF HONORABLE CHARLES H. CLEMENTS

Wednesday, February 26, 2025

SENATOR CLEMENTS: I hope I can get through this. She meant an awful lot to me.

I first met her when I came to this Senate in 2017. I shared an office in the west wing with Senator Maroney. Wanda was Senator Maroney's assistant, and I had another assistant. We were sitting there the first day or so and Wanda said, "Senator Maroney's birthday's next

week. We're going to get a cake and we're going to have a party for him." She said, "When's your birthday?" And I said, "Ha ha, you can't get me. Mine's in August." She said, "Mine's in August. When?" I said, "Twenty-first." She said, "That's my birthday." She said, "What year were you born?" "1943." We shared the same birthday. We were down looking for the hour and a minute to see who was the older . . . never got that far. I said, "Wanda, you were a twin. Now you know you're a triplet." There's three of us born on that day. And even to add more to it, we were both married in the same month of the same year. And I say, what are the odds of that happening, to meet somebody just at chance?

But I didn't have Wanda as an assistant until I moved upstairs. And she was an early bird . . . and I was an early bird. I used to be the first car in the parking lot out here in the morning until somebody I know from over in the Eastern Panhandle's beating me over here now. And Wanda always got here at the same time. We had 7:30 caucus, so that time between 7 o'clock and 7:30 was our time. We talked. We learned a lot about each other. We prayed, and the day got started on the right foot.

Wanda was here for all those years, and I want you to listen to the names of the people that . . . I'm not going to say that she worked for, but the peoples whose life she touched: Senator Walt Helmick, Senator Larry Kimble, Senator Andy McKenzie, Senator Dan Foster, Senator Jack Yost, Senator Mike Maroney, Senator Tom Takubo, Senator Eric Tarr. And then I got the privilege of being with Wanda for the last four years of her life.

I remember coming in that Sunday morning and she said, "I can't be here tomorrow or Tuesday. I have to go to Morgantown." And being a person who understands what she was facing and what she was going through, it was disheartening . . . and even more disheartening on that day in May when she passed.

She touched a lot of people.

And I said, maybe you'll come to this capitol one night and you'll see her walking the halls because every day after we were in caucus, she put on her tennis shoes and walked the halls of this capitol. And there was never, ever anybody that I met that didn't know Wanda because she spread joy, she spread happiness, and she spread her faith. That's something a lot of people are sometimes afraid to do, is to share their faith. But she wasn't.

She meant much, very much to me, and I'm sure she meant much to these people whose names I read who she was associated with working here in the Senate.

We have her family here with us today, and I think that's wonderful that we . . .

We have her sister, Kim [Katy Lim]. Now this isn't a twin sister, right? But it's her sister, Kim [Katy Lim], her granddaughter, Abigail, her daughter, Lisa, her son-in-law, Chris, and, above all, her husband, David. We shared a lot of each other.

I miss her. I miss her to this day and I'm sure that the Senate and this capitol building miss her very much.

Mr. President, I urge adoption of this resolution, and I would ask the yeas and the nays.

Defining "men" and "women"

*(Passage of Eng. Com. Sub. for
Senate Bill 456)*

REMARKS OF HONORABLE JOEY GARCIA

Monday, March 3, 2025

SENATOR GARCIA: Thank you, Mr. President.

So, when . . . I've heard from different people about this piece of legislation, definition of men and women, and they ask, isn't it just simple? And sometimes things aren't just that simple, Mr. President.

I don't always talk about my faith, but I think that it guides me in what I believe and what I try to do every day. And I've always heard, with respect to my faith, lead with love.

And in Luke, Chapter 10, I remember the story about how a scribe asked Jesus, "What must I do to enter the kingdom of heaven?" And that was a trick. The question there, simple question, but Jesus replied, "Love the Lord your God with all your heart, all your soul, all your strength, and all your mind, and love your neighbor as yourself."

The scribe replied, again, trying to catch Jesus in a trap, "But who is your neighbor?" And then Jesus told the story of the Good Samaritan, about how when an individual was beaten and robbed on the street a priest passed by, a Levite passed by . . . two people you would have thought would have helped. But the Samaritan, a person that was shunned, a person that was considered the enemy, that's the person that was moved with compassion to help that person. And when I think about this, I think Jesus was saying in response to who is our neighbor, everyone is our neighbor.

And so, that's where I start when I think about this bill. That's the question. We need to love our neighbor. Who is our neighbor? And though you might not know it, and I know that I haven't, many of the people affected by this bill are our neighbors.

I've had people that have come up to me in the last couple years about issues like this, and I would have never known that that individual was in the position of being transgender, or questioning, or whatever it might be. What I have heard—especially this last year in May, and again in October and November—was, I think one of the most disgusting campaigns, where this issue of biological sex, divisiveness, just sort of attacking people, putting this picture, painting this picture of this monster in the room. And that's apparently the number one issue that we have seen, Mr. President, in the State of West Virginia in our political campaigns. But what I've seen when people have approached me about this, about how they have felt singled out, attacked by pieces of legislation like this, just normal people, not the monster you might see, but people who are struggling.

And this bill itself, it defines sex, and it defines sex as including people who have differences in sex development. Basically, it says that there are situations where someone isn't male and isn't female yet, as it's defined herein. There are only two sexes. And in reality, and I hear sometimes this . . . what almost seems like a way to describe people, you know, somebody being trans. And trans only means between two things. Yet it's been taken, I think, to another level.

And when I look at this bill and how it affects people, there are a number of prohibitions in here, not based on really any stories that I've heard or any data. You know, we often hear about people, men on men, women on women, violence and assaults. But it's the idea of this boogeyman story of what might happen. And it has real consequences.

When you look at domestic violence shelters And we had someone testify in our Committee on the Judiciary about how they don't ask these questions. They don't try to single people out, they don't try to stigmatize those victims that they're helping who are escaping domestic violence and sex trafficking. No, they try to use common sense, provide them the privacy, the accessibility that they need, but to serve those people. And I think this bill would potentially have the effect of hurting them.

Not to mention, as I've said, this constant, constant message that this is the number one issue. And we're talking about so few people. But those people are our neighbors, Mr. President.

And I may not understand what they're going through, but I'd like to think that we were called to have some compassion for them.

And so, as I see it, the question is, does this bill hurt our neighbors? And I believe the answer is yes.

I'll finish with this. One of my favorite books in the world is called *The Alchemist* by Paulo Coelho, Brazilian author. And it's about a journey, a destiny. And I think we all have our journeys. And sometimes we must cross a desert of struggle before we realize that destiny. And so many of the people who have come to me, who've told me they've been affected or they feel hurt by this bill, they may be facing a desert of a struggle. And I hope they come out okay on the other end. But there's a line about love in this book. And it says, one is loved because one is loved, there's no reason needed for loving. And so I hope that everybody who has felt that hurt knows . . . and . . .

I believe that God made people how they are and that He does not make mistakes. And that every child is a child of God.

So, this legislation, I believe it hurts my neighbors. It does not love them.

And for that reason, I will be a "no".

Defining "men" and "women"

*(Passage of Eng. Com. Sub. for
Senate Bill 456)*

REMARKS OF HONORABLE ROLLAN A. ROBERTS

Monday, March 3, 2025

SENATOR ROBERTS: Thank you, Mr. President.

Since we have invoked the Bible, we look at Genesis 1:27, where the Bible tells us, so God created man in his own image, in the image of God created he him, male and female, created he them.

Stating the facts as we see in the foundational book of the Bible does not mean that there is a lack of love or compassion for anyone else on this earth.

And I support the bill wholeheartedly.

Thank you.

REMARKS OF HONORABLE AMY N. GRADY

Monday, March 10, 2025

SENATOR GRADY: Thank you, Mr. President.

Today is a special day in West Virginia history, and in the history of the West Virginia State Senate.

I want to share a story with you that I received from our Deputy Secretary of State, Mike Queen, who is the esteemed father of our Senator from Harrison over there. And this story is very entertaining, and I enjoyed it, so I wanted to share it with all of you.

So, on this day in 1921, the West Virginia State Senate, in a 15 to 14 vote, passed legislation to secure West Virginia's ratification of the Nineteenth Amendment to the United States Constitution, forever guaranteeing women the right to vote.

West Virginia's ratification process had passed the House of Delegates in a special session, but was stuck in the Senate on a 14 to

14 vote. Two senators were absent. One had left the state and was no longer eligible to be a member, and the other was vacationing in California with his family. State Senator Jesse Bloch, a Republican of Wheeling, West Virginia, and Ohio County, had planned the family vacation months ahead of time not knowing that a special session would be called. Senator Bloch was a pro-suffrage supporter, so the call went out to get home, we need your vote.

Senator Bloch's cross-country trip took almost a week. The national media followed him from state to state wondering who he would meet with and if he could change his mind before he could get back to West Virginia. Senator Bloch arrived in Charleston at 2 a.m. on March 10, 1921, and, upon his arrival at the Kanawha Hotel, he was given a wire message from his mother. It simply said, "Now Jesse, you do the right thing."

State Senator Jesse Bloch joined his Senate colleagues at 8 a.m. that morning, and he voted yes, and the legislation passed on a 15 to 14 vote. West Virginia became the thirty-fourth state to ratify the Nineteenth Amendment, with a total of 36 required, and the Nineteenth Amendment was ratified in August of 1921.

So today, we celebrate women's suffrage, the right to vote, a very unique part of West Virginia and State Senate history.

Thank you, Mr. President.

Lauren's Law

*(Passage of Eng. Com. Sub. for
Senate Bill 196)*

**REMARKS OF
HONORABLE
MIKE STUART**

Tuesday, March 11, 2025

SENATOR STUART: Thank you, Mr. President.

The focus of this bill is to increase penalties for drug-related crimes.

The primary focus of the bill is on the manufacture, delivery, and possession with

intent to deliver six targeted drugs. Those drugs are fentanyl, methamphetamine, PCP, LSD, cocaine, and heroin. For these six targeted drugs, the penalty is increased for the manufacture, delivery, or possession with intent to deliver, transporting drugs into West Virginia, and conspiracy to do either of these things. Other drug penalties are also increased to bring West Virginia in line with surrounding states and the federal government.

The crime of simple possession is not affected by this bill. No marijuana provision is affected by this bill.

You know, we heard yesterday, Mr. President, from the Senator from Fayette in the amendment phase about designating a portion of the changes in this bill as "Lauren's Law". Those changes relate to increased penalties for persons convicted of either drug delivery resulting in death or failure to render aid to someone who's experiencing an overdose.

You know, Mr. President, as most people know, I carry this wallet in my pocket. And Lauren, her picture, sadly, has been in this wallet for nearly five years, as have been the pictures of Joel Archer, and Chad, and Alyssa, and Sarah, dozens and dozens of pictures.

And, Mr. President, this is a good bill that takes direct aim at the purveyors of death and of chaos, of destruction, and of broken families. This is a good, strong bill that makes it clear where West Virginia stands.

Mr. President, I urge passage.

Lauren's Law

*(Passage of Eng. Com. Sub. for
Senate Bill 196)*

**REMARKS OF
HONORABLE
VINCE S. DEEDS**

Tuesday, March 11, 2025

SENATOR DEEDS: Thank you, Mr. President.

Today, I stand in support of Senate Bill 196, *Lauren's Law*. It's a pivotal piece of legislation

aimed at addressing the pressing issue of drug-related crimes in our state. This comprehensive drug crime prevention bill is designed not only to prevent crimes, but to save lives.

As we compare the West Virginia drug code to those of our neighboring states, it becomes evident that our current stance on drug offenses is insufficient. Senate Bill 196, *Lauren's Law*, seeks to rectify this by increasing penalties for the distribution of illicit drugs and leveling the playing field.

There's often a quote that I like sharing, and it's from Dr. Martin Luther King, Jr., and he says this, "Injustice anywhere is a threat to justice everywhere."

This sentiment underscores the reality that the drug epidemic in West Virginia impacts each and every one of us, both economically and emotionally. There's not one of us in this chamber or in West Virginia . . . has not been touched by this epidemic. As we can see today by my dear friend, the Senator from Monongalia, one of his close friends that he grew up with has been impacted because this is named after their daughter, Lauren.

And just to show that this continues to go on—and we have to take a hard stand here in West Virginia—recent operations by the Southern Regional Drug Task Force . . . In West Virginia, we have 17 drug task forces. This is just one of them in the southern part of this state. In collaboration with state prosecutors, they have revealed some alarming statistics.

Recently, I think it was February 13, they served multiple search warrants. And they seized—during these search warrants—they seized two fentanyl brick presses, 12 pounds of fentanyl . . . 12 pounds of fentanyl . . . 19 grams of crack cocaine, two pounds of crystal meth, three firearms, three vehicles, and a substantial amount of cash.

Just to put this in perspective for all of us, 12 pounds of uncut fentanyl has the potential to kill 2.7 million people. It has the potential to kill 2.7 million people. Our population in West Virginia is not quite 1.8 million citizens.

To me, it's clear that we need to draw a line in the sand, and say . . . and protect our borders here in West Virginia. It's clear that every family, every child, and every citizen of West Virginia has felt the impact of drug sales.

There's been a profound injustice here in our mountain state as we have witnessed the loss of a generation of people. It affects everything from foster care, to our economic well-being, to our welfare system. It touches so many people. We have a whole generation of children being raised by their grandparents because of this drug epidemic.

So today, we have an opportunity to say that's it, it's over. With this legislation, we are sending a strong message. Drug dealers have been put on notice. The people of West Virginia demand justice, and we do. And we will not stand idly by while criminals poison our communities.

Mr. President, I urge passage of the bill.

Lauren's Law

*(Passage of Eng. Com. Sub. for
Senate Bill 196)*

REMARKS OF HONORABLE JACK DAVID WOODRUM

Tuesday, March 11, 2025

SENATOR WOODRUM: Thank you, Mr. President.

I've been a licensed funeral [director] in this state for over 40 years. And in my career I have seen the outcome of what this bill seeks to address, hundreds and hundreds of times. Hundreds of families I've talked to, every story that we've heard on the news, I've had those conversations firsthand. And I strongly urge support of this bill.

This is devastating, not only to the person that's passed away, but to their family, their immediate family, their children, their grandchildren.

And this is something we certainly need to address.

And I urge this body to get behind this legislation.

Thank you, Mr. President.

Lauren's Law

*(Passage of Eng. Com. Sub. for
Senate Bill 196)*

**REMARKS OF
HONORABLE
BRIAN HELTON**

Tuesday, March 11, 2025

SENATOR HELTON: Thank you, Mr. President.

West Virginia currently is fiftieth in addiction rate . . . and we still have the highest overdose rates. Our citizens are being targeted by drug dealers that have no regard for human life.

I want to tell the story today of a very important person. This is the story of Lauren Renee Cole.

From a very young age, she had a unique ability to make everyone around her feel special. She listened to what people were saying instead of listening just to respond. Her personality was pure and genuine. She was never uncomfortable being herself and making everyone else feel safe to be their selves. Lauren was the definition of the girl next door, a person who was approachable and dependable, and everyone saw her as their best friend.

She was also a fierce competitor, ambitious with a strong will to be the best. There were no boundaries. She would push herself to the limit to achieve her goals. She was quite accomplished in softball, swimming, soccer, cheerleading, skiing, and lacrosse. She was cheerleading captain and lacrosse captain. Lauren is one of three players to score over 100 lacrosse goals in high school.

Lauren was a 2017 WVU graduate in social work. She was a WVU cheerleader. She was pursuing her master's degree in social work.

Her passion for helping others shined through in her personal life where she was a friend to everyone. She had a strong desire to help those who were marginalized by society and those suffering from substance use disorder.

However, Lauren had been facing an epic battle since she was 16 and experimented with opioids one evening with her boyfriend and a few friends. She had a bright future and did not plan to be an addict.

She once said she thought it was recreational like marijuana. There was no education on this topic. She was embarrassed and fought this disease alone for two years while maintaining good grades, excelling in sports, and taking college courses while in high school.

She kept this secret from her family, teachers, coaches, and friends. Towards the end of her first semester of college, she had to swallow her pride and ask her parents for help. Thankfully, they were there to help her all along the way and she remained hopeful . . . even after once when she relapsed after a recovery attempt.

As we all know, recovery is an ongoing process of change. Relapses can happen and it's a long-term process that takes sometimes years to overcome.

Lauren was in it for the long haul. She had a lot to live for. She was constantly making good choices about what she wanted her life to be. After all, she was working on her master's degree in social work and she knew she could make a difference in the world. She was seizing opportunities to make a great career in the field of work she was very passionate about.

Approximately three weeks before Lauren relapsed, she came home to talk to her father and said, "Dad, there are many people suffering from addiction that need and want help, but they don't have the resources or family to get it. Do you think that when you retire, we can do something to help them?"

Lauren lived her last year suffering from substance use disorder. On July 9, 2020, Lauren was unknowingly sold a lethal dose of fentanyl. She was deceived by someone that didn't care. Parents should have the opportunity to hold and kiss their children when they enter this world. They should not have to hold and kiss them when they leave this world, as Lauren's family did.

Over 800 people paid their respects to her family at her funeral and told her parents that—all of them told them—that she was their best friend.

She was poisoned at the young age of 26. Lauren did not overdose, on July 9, 2020, she was poisoned.

As a result of her life, Lauren's Wish Addiction Triage Center was founded in Morgantown by her parents, and it was opened to carry out Lauren's passion to serve those in need.

Addiction does not discriminate.

Our future depends on what we do today to serve those in need.

I urge passage of this bill.

Thank you, Mr. President.

Lauren's Law

*(Passage of Eng. Com. Sub. for
Senate Bill 196)*

REMARKS OF
**HONORABLE
MICHAEL A. OLIVERIO II**

Tuesday, March 11, 2025

SENATOR OLIVERIO: Thank you, Mr. President.

I want to sincerely thank all the members of this body, including the Junior Senator from the Seventh, the Senator from Fayette, the Senator from Greenbrier, and others who have worked on this legislation. This is especially important to us in Morgantown, and to me in particular.

In 2020, that summer when Lauren died, many of us in my high school class, of which her parents were both part of, wanted to do something. We wanted her death to not be in vain. And her parents and others in our class started to work together to see what we could do, recognizing that somewhere between 70,000 and 100,000 people were dying a year from fentanyl poisoning, the number one cause of death in America for 18- to 40-year-olds. What could we do?

And through a lot of work of a lot of folks, we were able to put together this Lauren's Wish.

And I owe all the credit in the world to her parents, Mr. President, who were just tireless in their efforts. And much work is being done to serve West Virginians who need a safe and healthy place, who want to seek treatment and recover from this addiction.

And I just want to rise today in support of the legislation, thank my colleagues, know how important it is that her parents are here today to watch this vote, and ask that we continue to work together to put a wall around West Virginia to protect our young people from these horrible drug dealers, and when they come to West Virginia, we put them in jail.

Thank you.

Lauren's Law

*(Passage of Eng. Com. Sub. for
Senate Bill 196)*

REMARKS OF
**HONORABLE
JOEY GARCIA**

Tuesday, March 11, 2025

SENATOR GARCIA: Thank you, Mr. President.

Sometimes it's hard when you have a bill that has good things in it, but there's other things that you just have some problems with. And I appreciate all the thoughts that have been shared today on the Senate floor about . . . just this issue, which we've been facing for a long time.

And there are parts of this bill that I think are very good. And I think especially the idea of basing punishments on the amount of weight and really focusing on those people that are bringing huge amounts.

But I also see some problems with this bill. And it's hard when you hear a story that's really about all the worst things that could happen to a parent. And there's a part of this bill that I don't know that I disagree with, but the main parts that I . . . because it's all put together, related to, in general, a lot of people who are caught under the first criminal penalties that are raised with intent to deliver, not all those people are pushing huge amounts of drugs onto this state.

In fact, some of those people have a problem. Some of those people are in the midst of substance use disorder. And in many cases, the judicial system that we have, Mr. President, provides for a number of different individualized options.

And the penalties right now I think are absolutely sufficient. I think if we were looking at, and again, I'm talking about the first set of penalties right here that go up, I think there's a number of things in this bill that limit the ability of judges to send people to treatment, home incarceration, to use a plethora of options because every case is different. And at the end of the day, I've always thought of this idea that raising criminal penalties every single session, every single session, with the idea that there's going to be this deterrence and that deterrence is not getting over with people . . . that these things don't deter people.

I think potentially the amounts can. And I think that was well put in this legislation. But when it comes to this basic idea here, that people are just going to be in prison longer, sometimes that's when the light turns on and they can actually be a good taxpaying citizen.

And we heard from a gentleman named Kenny Matthews up in our Judiciary Committee who talked about if these penalties would have been in place back then, he'd probably still be in jail. And so would a number of other people that have turned their lives around.

And so I think of the board game when I was growing up, Chutes and Ladders, and how often I think when you just look at being tough on crime instead of being smart on crime, we're . . . instead of creating ladders and creating hope for people, we're creating a chute that's just going to put them into a place.

Again, this is not everybody. I'm talking about a group of people who right now the law allows us to try to figure out how to bring them back from addiction, how to make them good taxpaying citizens, how to have them own businesses. And I think this just goes too far in that other direction.

And for that reason, and this is a harder vote because, again, I appreciate some of this bill and what it does, but there's other parts of it that I think are going to fail to make us a safer community.

Thank you, Mr. President.

Lauren's Law

*(Passage of Eng. Com. Sub. for
Senate Bill 196)*

**REMARKS OF
HONORABLE
SCOTT FULLER**

Tuesday, March 11, 2025

SENATOR FULLER: Thank you, Mr. President.

And I have much respect for the Senator from Marion but I have to disagree with him on this.

I think that we have shown throughout the last decade or longer that our problem isn't getting better, it's getting worse. And what we've been doing presently is not working. We're losing a lot of our children and a lot of parents are having to suffer.

And we cannot keep doing the same thing over and over and expect it to go away. There has to be a deterrent. I mean, deterrents work for everything, or at least if they don't, it gets them off the street where they can't do it again.

So, with that said, Mr. President, I would like to urge for passage of this legislation.

Lauren's Law

*(Passage of Eng. Com. Sub. for
Senate Bill 196)*

**REMARKS OF
HONORABLE
JACK DAVID WOODRUM**

Tuesday, March 11, 2025

SENATOR WOODRUM: Thank you for indulging me, Mr. President.

Just in thinking about this, I think back a few years ago and, to me, the importance of this legislation.

At the time I was working in Beckley. There was heroin laced with fentanyl that come into Raleigh County, Fayette County, and Wyoming County. Over the course of a couple days, there were 54 people that died from overdosing on that one batch of drugs. That's the worst case I personally had a hand in.

But the ambulance calls, they were dropping bodies to me for the medical examiner to review, and their radio was going because these overdoses were coming so fast from that one batch of drugs that come into our state.

And that's the reason I And I certainly I don't disagree with you but, at the same time, I don't know what the answer is. This may at least make people think twice before they venture into West Virginia.

Not too many years ago, you know, we had this war on pills coming into West Virginia. We dried up the pill mills. The problem we had, we dried up pill mills and we still had addicts. It took three months for heroin to come into West Virginia from the northern part of the state to the southern tip. Three months. And when I told people that was going to happen, they thought I was crazy. But what they didn't understand is I grew up around heroin. I mean, in the seventies you knew what heroin was. To these younger people, it was a new drug to them. Old drugs have a bad way of coming back around, and now we've got fentanyl, which is cheap.

Unfortunately, I've got a lot of friends who've used drugs most of their life. I lost one of them in the last week. I'm quite confident when toxicology comes back, it'll be fentanyl.

When a few grains of something, a couple pieces of salt is all it takes, the difference between life and death, if you miscalculate with that, you know, it's a very serious thing.

And that's the reason I think these stiffer penalties may help deter some of that coming into our state.

Thank you, Mr. President.

Lauren's Law

*(Passage of Eng. Com. Sub. for
Senate Bill 196)*

REMARKS OF
**HONORABLE
MIKE STUART**

Tuesday, March 11, 2025

SENATOR STUART: Mr. President, thank you.

In order to close out debate, I want to thank all of my colleagues, all of them, for their comments on this subject.

This wallet I carry . . . and I talk about this often because I carry this wallet not only in my pocket, I carry it in my soul. It's in my heart. And I think of the people in this wallet in the silence of the dark of night . . . often. And I think about their families. I think about the lost families.

There's no easy answer or solution to these challenges. I wish there were. We would have done it already. I think everybody on a nonpartisan, bipartisan basis would have figured out what we need to do to solve this challenge, the challenge of our time, the challenge of saving our families.

This is not I know we go through different administrations where we talk about it's a supply issue . . . it's a demand issue. And we go through periods of time where we focus on supply, and we go through periods of time where we focus on demand. I'm here to tell you, I believe it's a supply and demand issue.

Demand, that individual that we try to get to not want drugs, it's too slow a process, Mr. President. It's too slow.

The supply, it's like pizza shops. If there are enough pizza shops, people are going to buy pizza. And that's how it is with drugs today. There's too much supply.

We've got to focus on both.

This is not a magic bullet to solve the challenges that we face.

But I can tell you this, the social fabric of this country has been eroded. The social fabric of this state has been eroded.

The challenges that we face, from our fiscal challenges to CPS and foster care, our court system, rehabilitation and treatment, we need all

of that . . . we need it all fixed. But it all stems back to one problem, it's a drug crisis that has overwhelmed us, and our families, and our system.

I thank Lauren's mom and dad for being here today. God bless you.

And, speaking to Mr. President, God bless the families that deal with these challenges every day.

But I can tell you that there's probably not a day that every one of those families don't think about the challenge upon us.

How do we solve this? How do we deal with it? We want to make it through. We've gone to hell. We need to find our way back out the other side, and that there's a positive, more brighter day for West Virginia as a result.

But I can't say that, right? We've got a generation of lost folks as a result of this terrible epidemic that's affected every child, every family, every school, every church, every community in West Virginia has been impacted in a very adverse way.

Mr. President, this is not a perfect bill. I'm glad we get a chance to vote on Lauren's Law today.

I urge passage.

Thank you.

**Expressing support for
President Felix Tshisekedi
and citizens of
Democratic Republic of Congo**

(Adoption of Senate Resolution 34)

**REMARKS OF
HONORABLE
JACK DAVID WOODRUM**

Tuesday, March 18, 2025

SENATOR WOODRUM: Thank you, Mr. President.

I would ask the body for a little bit of latitude.

Ladies and gentlemen, I'd like to take this moment Joining us on our live stream today is the president of the Democratic Republic of Congo and, at this time, I would like you to join me in welcoming His Excellency, the Honorable Felix Tshisekedi, to our body.

I would also like to take this opportunity to welcome the officials from a number of African countries that are with us today . . . if you join me in welcoming them also.

Thank you, Mr. President.

As many of you know, I've been humbled and privileged to accompany the son of our Senator Roberts, His Excellency, Dr. Rollan Roberts II, into a number of African countries.

Things that have amazed me are the similarities between our great State of West Virginia and these countries that I visited. The people are much like our own. They are a wonderful, hardworking people. They're very, very courteous and kind. And I have felt very much at home when I've been traveling through these countries with the people I've met.

We have an opportunity to support the president here today and to support the leaders in a number of these countries to bring a lasting peace and prosperity to their country that many of these countries have not known for many years.

And, like I said, I'm humbled and I hope that you all It's not lost on this body that what we do here today, and what's being done at the federal level that President Trump has expressed over the last few days himself, that we will be able to impact the lives of tens of millions of people with these things that are happening right now. And we will bring prosperity to these countries, we hope the likes that they have never seen, and lasting peace to these people that so richly deserve it.

Thank you, Mr. President.

**Expressing support for
President Felix Tshisekedi
and citizens of
Democratic Republic of Congo**

(Adoption of Senate Resolution 34)

REMARKS OF
HONORABLE
ROLLAN A. ROBERTS

Tuesday, March 18, 2025

SENATOR ROBERTS: Thank you, Mr. President.

The Democratic Republic of Congo, known as DRC, led by two-term President Felix Tshisekedi, is the wealthiest country on earth as measured by natural resources. Their wealth is immense. It is estimated between \$24 and \$30 trillion. To put this in perspective, the GDP of the United States is around \$27 trillion. And China is only \$17 trillion.

To understand this wealth—and many countries do—the wealth has made the DRC a huge target for reckless invasion by Rwanda, led by President Paul Kagame who has backed M23 rebels to take over cities and extract significant minerals to create wealth for the country of Rwanda. This has gone on for several years, causing the death of thousands of people, including 6,000 Christians, some of whom were violently rounded up in a church and beheaded.

DRC President Tshisekedi has publicly offered the United States Trump administration a mineral deal, recognizing that American interests there chases out their enemies, our adversaries, and brings stability to their region.

West Virginia has significant experience with being bullied and abused over our natural resources. The DRC's history and struggle with natural resources and negative perception issues is a journey that we West Virginians know all too well. As we stand with the DRC against the Rwandan-backed invaders, we stand with them against the pillaging of their land and resources and we stand with the president in his quest to secure peace and prosperity for all citizens of the DR Congo.

And, Mr. President, I request unanimous consent of the yeas and nays at the appropriate time.

Thank you.

**Expressing support for
President Felix Tshisekedi
and citizens of
Democratic Republic of Congo**

(Adoption of Senate Resolution 34)

REMARKS OF
HONORABLE
TOM WILLIS

Tuesday, March 18, 2025

SENATOR WILLIS: Thank you, Mr. President.

I've been asked to say a few words to the president in his own language. So, in that spirit, I'll say:

[CLERK'S NOTE: The following text was spoken in French.]

Good day, Mr. President.

It is truly an honor to address you from the West Virginia State Capitol. My name is Senator Tom Willis.

We remain very pleased to explore opportunities to work together between your great nation, the Republic of Congo, and the great State of West Virginia.

I truly believe that you will find the people of West Virginia are humble, quick to smile, and hard working.

You and your team are always welcome here, and while awaiting the opportunity to meet in person, please accept our warmest greetings of friendship and cooperation.

Thank you, Mr. President.

**Allowing certain Teachers Retirement
System members to exchange unused leave
for monetary compensation**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 37)*

REMARKS OF
HONORABLE
JASON BARRETT

Wednesday, March 19, 2025

SENATOR BARRETT: Thank you, Mr. President.

The purpose of this bill is to incentivize teachers who became members of TRS after July 1, 2015, by allowing them to sell up to 10 days of unused leave for a one-time salary enhancement.

The salary enhancement would equal 80 percent per day of the pay rate used by the county to compensate substitute teachers with a bachelor's and 10 years of experience. The salary enhancement is required to be paid out by June 30.

The committee substitute reported from the Committee on Finance changed the word "bonus" to the phrase "one-time salary enhancement" and added a proviso that indicates that once the unused days have been forfeited, they cannot be used by the teacher for other purposes.

Mr. President, I urge passage.

**Allowing certain Teachers Retirement
System members to exchange unused leave
for monetary compensation**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 37)*

REMARKS OF
**HONORABLE
AMY N. GRADY**

Wednesday, March 19, 2025

SENATOR GRADY: Thank you, Mr. President.

I just want to briefly speak in favor of this bill.

We've heard a lot about teacher absenteeism, and part of the reason for that is because the younger teachers who came into the system in 2015 or later, they have a mentality of, I have my days, I have to use them or I lose them because they can't turn them in for retirement, they can't turn them in for insurance at the end of their career.

So this is hopefully trying to incentivize them to save their days, not take off as often as they have to. We all know you have those days that you need to take off regardless, but to try to be more mindful of taking off, being able to trade something in at the end of the year to get, I don't want to use the word "bonus" because we took that out, but to get a check that might help them over the summer a little bit.

Also, I want to add that this only affects classroom teachers . . . so to incentivize teachers who are just in the classroom so we don't have to have a substitute.

Thank you, Mr. President.

**Allowing certain Teachers Retirement
System members to exchange unused leave
for monetary compensation**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 37)*

REMARKS OF
**HONORABLE
MICHAEL A. OLIVERIO II**

Wednesday, March 19, 2025

SENATOR OLIVERIO: Thank you, Mr. President.

I just want to add my voice of support to the legislation.

I want to thank a couple of teachers in Monongalia County who brought this idea to me. Steve Blinco and Jenny Secreto were a couple teachers who asked me to sponsor this legislation . . . and it's been a couple of years in the making.

But I want to thank our committee chairs of Education and Finance for allowing this legislation to advance and encourage your support for the legislation.

**Designating March 20, 2025, as
Mingo County Day**

(Adoption of Senate Resolution 38)

REMARKS OF
HONORABLE
MARK R. MAYNARD

Thursday, March 20, 2025

SENATOR MAYNARD: Thank you, Mr. President.

I want to thank everybody for being here today from Mingo County. With recent floods . . . you know . . . I love how resilient they are.

And I can remember the bad one in '77 . . . and the one in February this year.

I want to tell a little bit about my history in Mingo County.

My great-grandmother, Victoria (Ferrell) Adkins, lived in Taylorville all of her life. And she was from the big Ferrell family, and is buried there in the Ferrell Family Cemetery. My Great-Grandpa Adkins played poker with "Devil Anse" Hatfield on Mate Creek there . . . so that's pretty cool. My grandparents both graduated from Burch High School in 1939.

And my cousin, Dennis Queen, operated a gas station in Matewan for years that no matter who I talked to in Matewan, they remember Dennis Queen's gas station.

My dad was born in Delbarton.

And my other great-grandparents, Lige and Polly (Queen) Maynard, had a grocery store northwest of Delbarton on 65. They sold it to my great-great-aunt, Armilda (Queen) Ramey, and that transformed that little community into the now semi-famous Ramey Town.

My other great-great-aunt, Lucinda (Queen) Adkins, had a grandson, Mike Adkins, God rest his soul, and he had the famous Mike's Harley Davidson of Delbarton.

Lastly, my great-uncle, George Ruben "Booze" Adkins, lived in the Adkins home place with his wife, Patsy (Brown) Adkins, to their death. To this day, I don't know how he got the nickname Booze, but we always called him Uncle Booze . . . and he didn't drink at all, but that was his nickname.

Some facts about Mingo County. It was created in 1895 and is the state's youngest

county. Mingo was named for the Iroquois Native Americans group that migrated here from New York. And it's also famous for all of its coal mining history . . . so many . . . hard telling how many millions of tons of coal has been mined in Mingo County.

But, I urge adoption of the resolution.

Designating March 20, 2025, as
Mingo County Day

(Adoption of Senate Resolution 38)

REMARKS OF
HONORABLE
CRAIG A. HART

Thursday, March 20, 2025

SENATOR HART: Thank you, Mr. President.

I want to speak to the resolution.

Being the Senator from Mingo County, an employee of Mingo County Schools, I cannot speak highly enough of the people, the everyday people, of Mingo County.

They had a big flood, as you all know, very recently, and they came together and they helped each other. Even when it was hard, they persevered. They have good hearts. They've had better days . . . and they have hard days these days.

But West Virginia is better because they're in the state.

God bless Mingo County.

Thank you, Mr. President.

REMARKS OF
HONORABLE
TOM TAKUBO

Thursday, March 20, 2025

SENATOR TAKUBO: Thank you, Mr. President.

I'd just like to take a moment to again highlight the hard work done by all those individuals regarding black lung and to brag on West Virginia a little bit.

We've been involved for the past few years with some companies because, as you may or may not know, black lung really has no treatment. It's a sad, progressive disease. And when these guys give much of their work lives to their families, and to the state to help keep the lights on all across the country, when they suffer from black lung there's not a lot of medicines that helps with it. There's not anything that really slows it down.

Well, we've been working here in West Virginia with some companies out of California. They're actually doing research and work up at WVU. We've recently been in communication with one of the largest drug manufacturers, Roche, and LG, and others. And what is unique is . . . there's a lot of bad things they talk about AI, but, in this situation, AI has possibly thought out a course of treatment for black lung. And the unique thing about it is it's a combination of meds that already exist. So nothing has to be developed or formulated.

So, for those out there that have black lung, I just want to let you know that I'm hopeful that help is on the way and that we will work with all these fine individuals that have been trying to help those for so long . . . and a lot of the black lung, unfortunately, comes from West Virginia.

You know, a lot of the seams are containing much more organic dust than what was in the past. And so even though the number of coal mining jobs have declined, the incidence of black lung is markedly going up. And so, in addition to all this, there's also genetic tests that we believe . . . are now available. As anybody that's been in the field, you know that some guys can work in it for 30 years . . . never, never experience black lung and others can work in it very short periods of time and be completely eat up with it. So, there's genetic tests that may be able to identify that beforehand which is incredibly important so that these guys don't suffer this in the first place. But if they do develop it, there may be help on the way soon.

So we'll continue to work hard on that. A lot of that work is being done right out of West

Virginia so that's one of those things we can be proud of.

So I just wanted to bring that to the body's attention.

**Designating March 21, 2025, as
WV Arts Day**

(Adoption of Senate Resolution 40)

**REMARKS OF
HONORABLE
SCOTT FULLER**

Friday, March 21, 2025

SENATOR FULLER: Thank you, Mr. President.

You know, sometimes we come up here and it's just a day-to-day thing. We do our business, we stay late, come early. But it's days like today that you realize why you're here. That performance we witnessed today by the Appalachian Children's Choir was amazing . . . and that's to go with the arts that we're talking about here today too.

And it puts in perspective of what we're doing up here as a body. Those children are precious. And sometimes when we get tired up here, we think things are going awful, and we get tired of being here . . . it's days like today when you see those beautiful children singing those beautiful songs, that reminds all of us that we're very blessed to be here.

And so, I want to thank them, and I want to throw a lot of support towards the West Virginia Arts Day.

So, thank you, Mr. President.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

**REMARKS OF
HONORABLE
MICHAEL A. OLIVERIO II**

Monday, March 24, 2025

SENATOR OLIVERIO: Thank you, Mr. President.

Is there a difference between being a senator and being a representative? Today, I find myself in that place.

I am a senator representing the people of Monongalia and Marion counties, but I also am a representative of the city of Morgantown, the city of Fairmont, the city of Monongah. And those cities have chosen to adopt resolutions and ordinances that this legislation would make void. And I think about the actions of those city council members who conducted committee meetings of the whole, public hearings, public readings, public votes, where they solicited the input from their constituents, who are my constituents as well, and reached the conclusion that the right thing to do was to adopt these ordinances and these resolutions that we as a legislature may choose to make void.

And I want to tell you, Mr. President, I don't always agree with the actions of the city of Morgantown. I have lived in the city, or in the shadow of the city, almost my entire life. But there have been at least three times within the past few years that I've shown up at a city council meeting, and I've said my name, and I've said my address, and I've indicated why I'm against the action they're about to take. But at the same time, I respect their ability to take those actions.

And it's because of that, Mr. President, that I'll have to vote "no" on this bill, because they have communicated to me very clearly that they are opposed to this legislation. And in my role as a representative today, I will represent their voice in this chamber.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

**REMARKS OF
HONORABLE
JOEY GARCIA**

Monday, March 24, 2025

SENATOR GARCIA: Thank you, Mr. President.

So, back in 1972, George Carlin talked about the seven dirty words. Now, I'm not going to say them obviously, that would not be appropriate here, but this legislative session feels like we are creating new dirty words that we cannot say and things that we cannot do, including among those "diversity", "equity", "inclusion".

But now we're talking about discrimination. And there are a number of places in the State of West Virginia that have the legal right to create an ordinance that protects people beyond what we are doing here at this capitol. Whether that be for sexual orientation, for hairstyle, whatever it might be, they have decided we want to do an ordinance that says you are welcome here, we want you here. And there have been at least 18 different ordinances across the State of West Virginia promoting this idea of fairness. And what this Legislature with this Senate Bill 579 today is saying is that no, no, no, no, no, we know better than you.

Local control is only good, apparently, when it's what this body agrees with. And that's completely against the idea of democracy on a local level.

So, again, discrimination . . .

If we don't want these things talked about in the incubators of democracy across our state where we get ideas for our laws, then we are creating another dirty word.

And for that reason, I'm against this bill.

Thank you, Mr. President.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

**REMARKS OF
HONORABLE
BRIAN HELTON**

Monday, March 24, 2025

SENATOR HELTON: Thank you, Mr. President.

Under West Virginia law, cities are political subdivisions that are allowed to permit laws and ordinances but only when granted by the State of West Virginia. Now, cities can't dictate their own laws when it comes to things like election laws, tax policies, criminal penalties, gun laws, etc., because those span the whole state and they impact the consistency of government in the State of West Virginia.

There's a thing called the Human Rights Act in West Virginia. And it's in place to prevent discrimination against people who are part of special protected classes. This act protects against things like discrimination against things like housing, employment, public accommodations, etc. As our chairman mentioned, there are certain characteristics of people that are protected. That includes things like race, color, national origin, sex, disabilities, etc. In other words, characteristics of individuals which are immutable and unchangeable.

Uniformity of law is critical to ensure all West Virginians are equally protected. A patchwork of varying local ordinances creates uncertainty for individuals and businesses. Centralizing anti-discrimination laws in our state allows for a more efficient and consistent enforcement through dedicated agencies like the Human Rights Commission of West Virginia. Limiting protected classes to those defined in the state Human Rights Act stops a continuous expansion of classes. Where does it end? It leads to overreach.

A uniform set across our state creates a more predictable environment for business. It creates a clearer framework for the legal process when these cases are adjudicated in the judicial branch or by administrative agencies.

Mr. President, we need to ensure that all citizens in our state enjoy equal protection, not just based on where you live or where you happen geographically to be at that particular moment in time; we need to ensure that our women and girls have their rights protected in spaces like restrooms, locker rooms, changing rooms, and enjoy protections under the law regardless of which city they happen to find themselves in at that particular time; we need to ensure that parents' rights across the state are honored, including within city limits.

Has anyone heard of conversion therapy? Well, I'll tell you what that is. Conversion therapy is a word that's been created by my friends on the left that basically says helping a

child understand their true biological sex is somehow wrong.

I'm going to read to you, Mr. President, an excerpt from one of our cities. This comes from Morgantown, where our Senator from Marion's from, and it directly addresses that in their ordinance. This is the city ordinance of Morgantown. This is just an example of what's happening in a lot of our cities across West Virginia right now. It says: Whereas, contemporary science recognizes that being lesbian, gay, bisexual, or transgender is part of the natural spectrum of human identity and is not a disease or disorder.

It goes on to say conversion therapy—again, which means helping a child understand their biological sex—it says in their ordinance that that leads to critical health risks, including anxiety, depression, decreased self-esteem, substance abuse, homelessness, and suicide. So again, trying to convince our children that they are the biological sex that they really are somehow leads to all those things.

So you ask who's this targeted at, this conversion therapy ordinance by these cities? Well, I'll read that to you. It says, furthermore, for the purposes of this article, discrimination on the basis of sexual orientation and gender identity includes the practice of conversion therapy with a minor under the age of 18 years old by, and I want everyone to listen to this, by any medical or mental health professional. Medical or mental health professional, according to the ordinance here, means any individual who is licensed by the city or state to engage in a profession related to physical or mental health, including any interns, trainees, or apprentices who provide medical or mental health services under the supervision of a licensed medical or mental health professional.

Mr. President, we cannot allow our parents to be taken out of this conversation. We have cities that threaten state licenses, such as medical licenses, by our medical professionals. I don't think anyone in here believes that we should allow cities to pull state licenses, especially when it comes to the medical community. So we have to protect our parents' rights. We also have to protect those medical providers because if they're operating within certain cities right now, their licenses are in jeopardy. That's the kind of overreach we see when we allow cities to go against the common laws of the State of West Virginia and to go against our Human Rights Act.

Also, these types of ordinances, they go in direct contradiction to President Trump's recent executive order. I'd like to read an excerpt from President Trump's order that talks about the legal perspective of these ordinances and how we will be incongruent with that in West Virginia should we allow these ordinances to continue. So here's from President Trump's executive order: Across the country, ideologues who deny the biological reality of sex have increasingly used legal and other socially coercive means to permit men to self-identify as women and gain access to intimate single-sex spaces and activities designed for women, from women's domestic abuse shelters to women's workplace showers. This is wrong.

And I'll read down a little further: This unhealthy road is paved by an ongoing and purposeful attack against the ordinary and longstanding use and understanding of biological and scientific terms, replacing the immutable biological reality of sex . . . replacing it with an internal, fluid, and subjective sense of self unmoored from biological facts.

Accordingly, my Administration will defend women's rights and protect freedom of conscience by clear and accurate language in our law and policies that recognize women are biologically female, and men are biologically male. It is the policy of the United States of America to recognize two sexes, male and female.

So, Mr. President, by moving forward and allowing these ordinances to continue, not only are we creating tons of overreach into lots of areas of our state government, we're conflicting with our business community. We're not providing a clear framework of legal issues when we deal with anti-discrimination laws. And we are, Mr. President, putting the medical community at risk because within these cities they could lose their licenses if they don't practice the policies that these ordinances feel like they should do.

Right now, we don't need more cities creating their own ordinances. We don't need more San Francisco's and more Portland's here in West Virginia. We need a consistent view of our state government. The people of West Virginia are overwhelmingly opposed to this type of thing.

We are obligated to protect the rights of parents. A consistent set of protected classes across the state will do just that, Mr. President.

This bill protects parents' rights and medical professionals across our state.

The people of West Virginia expect us to take a stand for them. They want leaders who share and understand West Virginia values. And they want leaders who recognize the importance of standing up and fighting for those values. You know why? Because that's what makes West Virginia such an amazing place to live.

With that being said, Mr. President, I urge adoption of this bill.

Thank you.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

REMARKS OF HONORABLE RYAN W. WELD

Monday, March 24, 2025

SENATOR WELD: Thank you, Mr. President.

This is dumb. It is. All of the problems that this state has, foster kids, CPS, workforce, educational outcomes, PEIA, Hope Scholarship and the financial burden that it may create within our budget, BRIM, Medicaid, all the problems that we face as a state, this is where we're at today.

So let's start.

The introduction or the explanation of the bill was pretty broad. Senator from Fayette brought a little bit of color to it. But let's really talk about what we're doing here. And this is for everybody who's watching and might be interested in this. What we're talking about today is that around the state, reaching back to 2007, 20 municipalities around the State of West Virginia enacted ordinances that prohibited discrimination in terms of employment, housing, and places of public accommodation—which does not include bathrooms or locker rooms, Mr. President—based on . . . including sexual orientation or gender identification. Okay.

So that's what they do. It prohibits discriminating against those types of people in those types of situations. Again, housing, employment, and places of public accommodation.

So, over the past number of years, going back 2007, 20 cities around the state have adopted these types of ordinances. So it gives a modicum of respect to people who are different than us and who may be discriminated against based upon something that they are. So that's what this does. It will overturn and completely nullify those ordinances.

So, why is it dumb? So, where is it a problem? Where is this creating a problem? Again, since 2007, where is the problem that we're trying to address? I haven't heard of any. I have several of these places in my district, Wheeling, little, tiny Bethany. Where is this a problem?

Uniformity is key. Okay, I understand that. But have we been hearing from people that said, you know, I really wanted to discriminate against a gay person for all my rental units, but then I found out that this town . . . I couldn't do that? So now I've got to sell all these and move to another town where I can discriminate against them. Is anybody asking for that uniformity? Is anybody saying, you know, I was going to open up a restaurant and I was going to discriminate against people based upon their sexual orientation, but then I found out this town had an ordinance against that so I've got to open up this restaurant in another town? Is someone asking for that? Is someone asking for that type of uniformity? I haven't heard anybody asking for that kind of uniformity.

In West Virginia we like to say all are welcome. We say it all the time. I'm not really sure this helps with that message. I'm not sure that this bill, that we're coming in and saying, we're going to repeal the ordinance that your city council adopted, will help them feel welcome if they're different than us who are in this room.

Second, we're Republicans. Most people in this room are Republicans, all but my good friend from Cabell, my good friend from . . . the Senator from Marion . . . Republicans. We like to say that we're for local government, local control, government closest to the people. In fact, I went back and I looked for the Republican Party platform, and it says in part, further, we support returning local control to all levels of government when constitutional.

Well, this isn't constitutional, or unconstitutional I should say. None of these municipalities did anything that was unconstitutional. None of them did anything that conflicts with state law. So these ordinances are valid. The protections they offer to people who are different than us are completely valid.

But here comes Charleston. We know better than you. Your city council, who you elected, enacted an ordinance to protect these individuals, but Charleston says we know better than you. If there was such a problem, you would think that the councils who adopted these ordinances, they'd get voted out of office. Maybe they did. Maybe they didn't.

Or, in the case of Fairmont, in the district of my good friend from Marion, the people there, by majority vote of the people, created their Human Rights Commission to allow for these types of protections in law.

And I went to college in Fairmont. I know a lot of good people in that town. But here comes Charleston saying, you know what, all those people, all of you who voted to enact a human rights commission, you were wrong. And we're going to tell you about it.

Do we have the authority as the state to tell a municipality that their ordinance conflicts with state law or goes further than they're authorized to enact? We do. But as my mother used to tell me, just because you can, doesn't mean you should. And this is one of those instances, Mr. President. Just because Charleston can, doesn't mean we should.

You know, for a number of years we have been kind of a scrappy underdog when it comes to economic development. West Virginia has been fighting above its weight class. And we have seen those results around the state, my district and others. What kind of message does this send to the outside world? You're welcome in West Virginia unless you're going to bring along employees that are a little bit different, then we're going to make sure that they're not afforded protections as some of these cities offer. Because that's what we're doing here. That's exactly what we're doing here.

So, we always had the opportunity to continue to move forward on economic development and make sure that we weren't, you know, going from 60 to 0 and making a bad image for the state around the country. But I think that we could be doing that with this

because we're focusing on the wrong things. We're focusing on the wrong things in here, every one.

When it comes to conversion therapy, Senator from Fayette, my good friend, had a couple of good points. But what I would say to that is that municipal ordinances are not allowed to conflict with state law. And if you are detailing conversion therapy and banning it, I think that part would conflict with state law because the state is the licensure authority for health care professionals and controlling of scope of practice. And so a municipal ordinance does not give a city the right to overturn somebody's license to practice their profession here in the State of West Virginia because it's issued by the state. And so that part may conflict with federal law . . . or state law, I'm sorry.

And lastly, Mr. President, I will say this.

I do have to clarify something that the esteemed Judiciary Chair stated earlier in that veterans are a member of a protected class in West Virginia. And that is incorrect. I would direct everybody's attention to chapter 16B, article 17, chapter [sic] 3 of our Human Rights Commission that gives all of our protected classes, or states them all by name. And that is race, religion, color, national origin, ancestry, sex, age, blindness, disability, or familial status. It does not include veteran status. It just doesn't.

But do you know what does? Eight of these ordinances around the state. Eight of these 20. So if you want to thank a vet and you vote "yes" today, don't go to Harpers Ferry, don't go to Thurmond, don't go to Morgantown, don't go to South Charleston, don't go to Athens, don't go to Keyser, don't go to Bethany, don't go to Wardensville because you're overturning their ordinances that offer protected class status to veterans that would prohibit somebody from discriminating against a veteran for employment, or housing, or in a place of public accommodation.

So just remember that. When we're voting on this, and everybody wants to thank our veterans, you're going to overturn protections in law that they've been given in at least eight municipalities around the state.

Thank you, Mr. President.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

REMARKS OF HONORABLE PATRICIA PUERTAS RUCKER

Monday, March 24, 2025

SENATOR RUCKER: Thank you, Mr. President.

I was not planning on speaking on this legislation.

And I cannot speak for other municipalities outside of my own district but I was there when this . . . ordinances were adopted in several of the municipalities in my district. And I was there at the city council meetings hearing the debate, seeing the public that came to testify. And even though the public was overwhelmingly testifying against the ordinance, it still did get adopted.

And one of the points I wish to make that, even in my area where we have some very large municipalities, city of Charles Town is an example, our population there at the last census is around 9,000 individuals, the folks on the city council get elected by around 300 voting citizens, roughly. It changes a little bit in the elections, but around 300 out of those 9,000, unfortunately, are the ones who make the decision as to who represents them on those city councils.

And I will tell you, yes, I mean I support local control, but 300 individuals making the decision for 9,000 is not exactly local control.

Now, is there something we can do about that? We do have legislation that we have passed out of Judiciary Committee this year that will help address this by having the municipal elections maybe take place with our general elections. That will hopefully increase the voter turnout and the real representation on the city councils. And I certainly hope that legislation makes it through the process. But the reality is that those limited individuals that actually vote and decide who's on the city council have a larger than normal influence.

And our cities are—this was one of the things that was said in these city council meetings

when discussing the adoption of these ordinances—folks asked what problem are you trying to fix? Where are the issues of discrimination that need to be addressed? And in—I've participated in three—and not a single example of discrimination was given in all three of those municipalities that was considering this ordinance and ended up adopting this ordinance. So, you know, we are here trying to solve problems.

I support this legislation because I think that for all the reasons that have already been stated, it is important that we do have uniformity and that we all understand every person in West Virginia does have a right to be treated with respect. And I think that everyone should know exactly, you know, where those rights lie.

Thank you, Mr. President.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

REMARKS OF HONORABLE SCOTT FULLER

Monday, March 24, 2025

SENATOR FULLER: Thank you, Mr. President.

You know, I've heard here about all the good things, positive things that this city ordinance can provide. But I think what we need to look at . . . we're looking at common sense. Again, that's what we all ran on in this room . . . is common sense. Common sense means that if I have a child, and I'm a parent, that I should be able to make those decisions for my child . . . what's best for that child. And yet, there's an ordinance . . . I guess several cities in West Virginia that want to eliminate that right and take that right away from me because it's not allowed.

And also what it does, if you allow this type of legislation to not pass, look at California. Is that what we . . . ?

Talk about, you know . . . I've heard the argument that we need to concentrate on economics. We need to concentrate . . . We are. We can multitask, but not at the expense of what

we stand for. And what we stand for, number one, is parental rights for our parents in this state. We do not want . . .

Okay, what would keep us, Mr. President, from saying, okay, we have this charter in our city laws, in municipality laws, now let's become a sanctuary city? That's next. You know, we want to be able to keep people that are illegally in this country and protect them. They're a protected class, too. So let's make, you know, this a place.

Well, wait a minute. What about if my child wants to think he's a cat or a dog? Let's do that, too. You know, let's turn into California because that's exactly the road we're going to go down if we continue to neglect common sense. Those protected classes are protected by the state equal rights resolution.

Let's talk about something else, veterans. Veterans are protected. You know why? Because every veteran is either a man, woman . . . is either straight or gay. So they're protected. They don't need the moniker of being a veteran to be protected by this State of West Virginia.

Yes, it's an honor to be a veteran—I support veterans as much as anybody in this entire body—but I don't need that moniker on me to be accepted by the State of West Virginia. It's a bonus.

But if we don't do something and stand up for our citizens of this state and put a stop to it before it gets started, we are going to end up like San Francisco . . . California. All you have to do is look to the west and see exactly what happened. If that's the way people of West Virginia want to turn this state into, then by all means, don't vote for this resolution right here.

But if you want to be a common sense state, the kind of state that we all ran for . . . Most of us in this body . . . we are Republicans. We run by common sense. This, Mr. President, is common sense right up there.

It's not taking away rights of anybody. It's trying to tell our children that the biologies that we've been taught for the last hundred years or more is wrong. There are two genders, or two sexes, whatever you want to say, male and female. God did not create mistakes. Instead of telling that person, that child, that they should change their gender . . . accept the gender that you are and quit treating them like they have some disease because they don't. It's okay to be

a man or be a boy and be feminine. It's okay to be a girl and be a tomboy. You don't have to change their entire body structure to fit what they want to do in life, especially minors. And that's what we're talking about here, Mr. President.

So I wholeheartedly support this resolution, and I urge for passing.

Thank you.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

REMARKS OF
**HONORABLE
TOM WILLIS**

Monday, March 24, 2025

SENATOR WILLIS: Thank you, Mr. President.

As I've sat here during this legislative session, I've noticed a few patterns—and I would call them patterns of attack, if you will.

One deals with accusing us of being afraid of certain terms, and I would challenge that premise. I would say that rather than being afraid of certain terms, it seems to me like we're confronting certain terms head on. And that's just the opposite of fear. That's actually called courage.

And I would also caution this body about the use of mockery, which seems to be the tactic of choice in that situation. And I will quote Samuel Johnson who says, "Mockery is the weapon of those who have no other." And I will also quote the wisest person who ever lived, King Solomon, who said, "The mocker resents correction. He will not consult with the wise."

Another common attack I've heard over and over again is that of all the serious problems we have facing us in West Virginia, why should we discuss this bill before us? Usually that statement is followed by a long and lengthy speech, which contradicts the original statement.

But again, West Virginia does have problems, but that's not a logical argument

against the merits of any particular bill, including this one. As far as what problems we're addressing with this bill, well, I believe that daughters and mothers in West Virginia would like to be able to go into a female locker room without worrying that a man, a biological male, is going to come in. For me as a father and a husband, that's a problem.

I think it's a problem that we have government entities violently trespassing against the sacred authority of parents over their children, including in the instance of conversion therapy that was spoken about earlier.

Mr. President, I'll wrap up with this. I think this bill is entirely consistent with bills that we've previously passed, including the Riley Gaines Act, Defining Men and Women Act. I also believe it's consistent with the Parents' Bill of Rights Act.

For those reasons, Mr. President, I speak in favor of this bill.

Thank you.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

REMARKS OF
**HONORABLE
JOEY GARCIA
AND
HONORABLE
BRIAN HELTON**

Monday, March 24, 2025

SENATOR GARCIA: Senator from Fayette yield? Okay. First of all, I just had a couple questions since you're the lead sponsor of the bill.

SENATOR HELTON: Sure. Go ahead.

SENATOR GARCIA: Alright. First of all, you would agree that the municipalities that have adopted these ordinances did so lawfully and with authority from this Legislature, correct?

SENATOR HELTON: Currently, as you probably know, in West Virginia, cities,

municipalities, including Home Rule, are political subdivisions. And so they fall under the guidelines of the state Legislature. So there's certain laws they can't deal with and some laws they can. The State of West Virginia determines those laws.

Sometimes when laws are created or ordinances are passed, as a body, we have the responsibility to protect all rights of the citizens of West Virginia. So whether things are done lawfully or unlawfully at the time, we have the opportunity as a state to look back at that and reflect and say, hey, does this make sense and does this truly represent the rights of all West Virginians?

We can't allow cities, as an example, to create their own election laws because that impacts the entire state. We can't allow cities to go against Second Amendment rights. Therefore, they can't have their own gun laws.

At the same time, we also can't let cities make decisions that infringe upon the rights of parents to make decisions about their own children. And the example I gave a little earlier is if a child's confused about their gender and a parent decides that a certain counselor can properly counsel them, in this case, it would be a counselor who would help the child understand their true biological sex, this ordinance takes those parents' rights. So whether this ordinance was passed lawfully or unlawfully doesn't matter. What matters is we see in this ordinance examples of where parents' rights are being overturned, where they no longer are being given the ability to make those decisions.

Additionally, I think you agree with me, we can't allow cities, or counties, or any other lower part of government decide things like whether a doctor keeps his medical license or not or how a medical professional should perform their duty.

So, I think your point, your question, is a good one. Was this lawfully passed at the time? Yes. Does it match up to West Virginia common sense? Does it meet the requirements of maintaining parents' rights . . . of keeping a good state consistent government in place?

It doesn't comply with the Human Rights Act of West Virginia. So in that part, it does conflict with common law of West Virginia. It doesn't apply with Governor Morrissey's recent executive order defining a man and a woman. It also doesn't apply to law that this body overwhelmingly passed, which will codify the

law in West Virginia. So it'll be incongruent with all those things. It's inconsistent with the principles that the overwhelming amount of West Virginians support.

So, I think we have an obligation in this body to deal with those types of issues when they surface.

SENATOR GARCIA: So, that was good. So, you actually did answer my question at one point when you said yes, and I appreciate that. This might be more fun if we have a shorter exchange, but I guess you can answer however you want to.

You talked about it being incongruous with the Human Rights Act. You understand that the Human Rights Act provides protections for individuals from state action, right?

SENATOR HELTON: I didn't hear the last part of your question.

SENATOR GARCIA: You understand that the Human Rights Act of West Virginia provides individual rights with protections from state actions?

SENATOR HELTON: That is correct.

SENATOR GARCIA: Okay. And there are protected categories. You talked about a number of them that we have at the state level, right?

SENATOR HELTON: Correct.

SENATOR GARCIA: Okay.

But you understand that is not a limit? I mean . . . where there is nothing conflicting, that's why these ordinances are legal at this time, that a county or municipality can go beyond that. Would you agree, right now before this law is passed?

SENATOR HELTON: Well, I just gave you an example . . .

SENATOR GARCIA: Sure . . .

SENATOR HELTON: . . . of where this ordinance right here that we gave the example of, it does violate common law in West Virginia by trying to manage a state license such as a medical provider. That would include a counselor, psychologist, psychiatrist.

So, yeah, this is in clear violation. If that's your question, yes, this is in clear violation of West Virginia common law.

SENATOR GARCIA: So, but it . . . and I think the Senator from Brooke already talked about this. It already can't do that. That's just . . . That ordinance, to the extent that it would violate state law, is null and void already. So that's really not an issue that we have to worry about.

I guess my question is, because some of the things that were brought up as far as protected categories, we're talking about housing and employment, and I think good examples happen. I mean, do you think it's okay . . . These ordinances, these cities have said, we don't think it's okay to tell somebody you can't rent from me because you're gay. Or you have . . . maybe, you know . . . and again, gay marriage is constitutional now. But do you want to overturn that ability right now or for somebody to say, I'm not going to hire you just because of the fact of your sexual orientation.

SENATOR HELTON: We have the Human Rights Act in West Virginia that deals with that.

And so, right now, our Human Rights Commission in the state adjudicates that. There are anti-discrimination laws all across the State of West Virginia that deal with that.

What I would tell you is it shouldn't depend on your geography. It shouldn't depend where you find yourself at that particular place and time. So for us to have a patchwork of ordinances and laws that are confusing, that are based on geography only, does not fall with good governance. It doesn't follow with all the other patterns of common law we have in West Virginia.

And the Senator from Brooke went through a list of cities where he said it could be quite confusing about where you're at, about which ordinance you're under. We feel the same way. West Virginians feel the same way.

Again, if I were ever the Military Chair, or maybe the Senator from Brooke would invite me to be part of the committee . . . he mentioned veterans aren't covered, I probably would have already introduced that. Because I do think veterans need to be covered under the West Virginia Human Rights Act.

SENATOR GARCIA: Okay. Thank you, sir.

SENATOR HELTON: Thank you.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

REMARKS OF HONORABLE JOEY GARCIA

Monday, March 24, 2025

SENATOR GARCIA: Mr. President, just two further comments.

One is, the Senator from Jefferson talked about . . . there are not always examples, but that doesn't mean that we shouldn't take something up. And I think there's a lot of situations where that's been pointed out, where there are no examples, but we still continue to pass a piece of legislation. And so when these ordinances are passed, and people come and say we want these protections, that is legitimate. And so that's one example I think where we've done two different things with this Legislature.

And then the other one is this idea of parental rights, and this focus on conversion therapy, which, my understanding, tells kids that they have an illness based on what they believe. And that is a cause for suicide, potentially.

You know whether or not someone's medical license can be taken away, I think that already has been spoken to.

But this idea of parental rights, when we think it's right . . . you know, we have not said that with respect to abortion, with other types of health care, we've said the exact opposite. So that just does not speak in terms of consistency to me. And these ordinances in these cities have filled the void.

Because I agree with the Senator from Fayette, I think we should take up a Fairness Act down here. I think we should take up an act to protect people . . . the Crown Act, and I have a bill for that. And I'd be happy to discuss that and to try to see if we can get that on an agenda. But I have a feeling that's not going to happen.

And so I'm thankful for these municipalities who have taken that courage to step up and protect people where we as a Legislature have decided that we are not going to do so.

Thank you, Mr. President.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

**REMARKS OF
HONORABLE
RYAN W. WELD
AND
HONORABLE
BRIAN HELTON**

Monday, March 24, 2025

SENATOR WELD: Thank you, Mr. President. Will the Senator from Fayette yield?

MR. PRESIDENT: Will the senator yield? Senator will yield.

SENATOR HELTON: Yes, Mr. President.

SENATOR WELD: Thank you.

Before we get into the discussion onto the bill, you had mentioned something earlier about the Military Committee. You are aware of how committee assignments are made in the Senate?

SENATOR HELTON: I'm very aware, yes. Mr. President primarily assigns those, yes.

SENATOR WELD: It's not by invitation of the chair, so let's . . . at the outset.

SENATOR HELTON: Okay.

SENATOR WELD: And you would certainly be welcome to introduce any legislation that you would like regarding veterans in the military. You don't have to be a member of the committee.

SENATOR HELTON: And now that you pointed it out, I probably will, as a matter of fact.

SENATOR WELD: And so . . . Can you point to where in state law it would allow for a

municipality to rescind or take away the license of a licensed medical professional?

SENATOR HELTON: Well, as I've read, I don't know if I need to read this to you again, but in the Morgantown ordinance, which I think you're saying is probably unlawful in the first place . . .

SENATOR WELD: Yes.

SENATOR HELTON: You agree that ordinance is unlawful?

SENATOR WELD: In respect to that portion of it, yes.

SENATOR HELTON: Okay.

So we've got an unlawful ordinance that you're going to defend right now that clearly violates West Virginia common law. Senator from Brooke, see, that's the reason for this, because, again, we can't have a patchwork of ordinances and laws that are conflicting, that don't go with the common law of West Virginia, that, depending on where you happen to find yourself geographically at a moment in time, may be enforceable, may not.

And so that's the reason for the bill. That's why it's good, solid legislation because clearly that's an unlawful ordinance . . . you just admitted that . . . so we need to go ahead and adopt this.

SENATOR WELD: No. I admitted that it's unlawful in part. Please do not put words in my mouth.

SENATOR HELTON: So it's unlawful in part. Okay.

SENATOR WELD: It is unlawful in part. Now . . .

SENATOR HELTON: Okay, go ahead.

SENATOR WELD: . . . since you brought it up. And let's, first . . . common law is made by the courts. Statutory law is what we have here with us right now. So there are, again, 20 of these ordinances around the state. Not all of them have provisions related to conversion therapy. Very few of them do, actually.

And so would you then be open to those ordinances remaining in place, but only

nullifying those that clearly violate state law as related to their provisions on conversion therapy?

SENATOR HELTON: So, have you read the bill?

SENATOR WELD: I have, yes.

SENATOR HELTON: Okay. So let me go back and explain how the bill works to you, okay?

SENATOR WELD: You don't have to. I understand.

SENATOR HELTON: Okay. Well, by the question, I wasn't sure if you understood the bill or not because the bill addresses consistency in law following the Human Rights Act of West Virginia, making sure that we get consistent enforcement and compliance using agencies like our state Human Rights Commission. You know that's why all that's in place. It's in place so that we can manage this in an appropriate manner so that we do not have cities having unlawful ordinances such as this in place. We do not have parents' rights being violated by limiting the ability of their child to get counseled and who can counsel them. And so we don't put any of those things at risk.

You know, these guidelines we have in West Virginia line up pretty much with all federal guidelines as well. That's why they're in place. President Trump has just issued an executive order on this. Our governor just issued an executive order on this. We've just passed a bill that will codify all this. And so all these ordinances are only going to do nothing but create confusion and confliction.

And I'll tell you this, too, I'm sorry you think it's a dumb bill, and I'm sorry you think the people that support it are dumb.

SENATOR WELD: I didn't say that. I did not say that. So I would appreciate . . . because that's the second time during this exchange that you have mischaracterized my quotes. So please do not mischaracterize what I say. Thank you.

SENATOR HELTON: Okay, well, you did say you think it's dumb . . .

[inaudible]

SENATOR WELD: Mr. President, may I ask a question?

MR. PRESIDENT: The members . . . listen . . . the members are to ask questions and answer questions.

SENATOR WELD: Thank you, Mr. President.

MR. PRESIDENT: No more opinions. He'll ask a question, you'll answer the question, and then we will carry on.

SENATOR HELTON: Thank you, Mr. President.

SENATOR WELD: And so do you not believe that what would be a better way to go about what we're trying to do here would be to ensure the, we'll say the repeal or the nullification of ordinances that directly conflict with state law in respect to these conversion therapies, because the state is the licensing authority of government in the state, but then where we have allowed for other classes to be added to protected classes, allow for those to stand, perhaps that would be a better approach, do you think?

SENATOR HELTON: Can you repeat the question? I really didn't understand.

SENATOR WELD: So what we could do is we could repeal these statutes to the effect that they intend to conflict with state law related to licensure of medical professionals, but then leave in place the parts of the ordinances and those ordinances that solely discuss protected classes. Wouldn't you think that might be a better approach then?

SENATOR HELTON: No. No, I don't because I believe West Virginians overwhelmingly support consistency in our government. I think West Virginians overwhelmingly support parents being able to make the decisions about their children. I also think we in our state right now, we support common sense and we support these sorts of things in all of our counties.

This is a bill . . . And I'm glad it's on record because this will be an important vote in our 2026 elections, because this is clearly a bill focused on defining what we're going to allow across the State of West Virginia. Are we going to submit our citizens of our state to fairness laws which, by the way, are a misnomer because

they're really unfairness laws to the majority of West Virginians. We can't allow in this body for women and girls, their private spaces, to be invaded. We can't allow in this body for parents' decisions to be taken away when it comes to these issues. I'm talking to the whole group here right now. This is an important vote that will be an important part of it.

MR. PRESIDENT: The senator will answer the question. You're being asked a question.

SENATOR WELD: Thank you, Mr. President. I have no further questions, but would like to speak to the bill.

SENATOR HELTON: I apologize, Mr. President.

MR. PRESIDENT: That's fine. No more questions? Speak to the bill.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

REMARKS OF HONORABLE RYAN W. WELD

Monday, March 24, 2025

SENATOR WELD: Thank you, Mr. President.

Just a couple of things.

I don't make any votes in this room based upon an election that might be coming up in 2026 or 2028. And I think that probably around the state in cities ranging from our largest to our smallest, their members of council took votes thinking about their next election either. They just wanted to do what was right.

And I will say this one last thing, Mr. President. This has nothing to do . . . it has nothing to do with bathrooms and locker rooms because places of public accommodation are defined in state code, specifically, and also are defined in these ordinances. And they all follow the same: Any establishment or person is defined here, including the state or political subdivision, which offers its services, goods, facilities, or accommodations to the general

public, but shall not include any accommodations which are in their nature private.

So let's just all be aware of what we're discussing here today.

Thank you, Mr. President.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

REMARKS OF HONORABLE MICHAEL A. WOELFEL

Monday, March 24, 2025

SENATOR WOELFEL: Thank you, Mr. President.

I'm just going to be very brief. I'm just going to address two quick points.

Number one, we shot out of here that anti-vaccination bill, which 86 percent, according to the polling done by the State Chamber of Commerce, 86 percent of West Virginians oppose what we did. So the point of, hey, let's go with the majority only applies in certain instances.

And I'm going to say this.

As a juvenile judge for 32 years, I'm going to tell you that conversion therapy is pretty damn close to child abuse. And I'm going to tell you who says that, and these aren't a bunch of San Franciscans: American Academy of Child & Adolescent Psychiatry; American Academy of Pediatrics; American Association for Marriage and Family Therapy; American College for [sic] Physicians; American Counseling Association; American Medical Association; American Psychiatric Association; American Psychoanalytical [sic] Association; American Psychological Association; American School Counselor Association; American School Health Association; National Association of Social Workers; Pan American Health Organization; World Health Organization. Now, I guess you can say they're all infiltrated by the Nancy Pelosi's of the world, or whatever.

Conversion therapy is bad. It's wrong. It's near child abuse.

Beyond that, I don't have any comments on the bill.

Thank you.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

REMARKS OF HONORABLE TOM TAKUBO

Monday, March 24, 2025

SENATOR TAKUBO: Thank you, Mr. President.

I'll be brief. I just want to make a couple comments.

One, for the folks at home, there's probably some confusion on conversion therapy. And I think that's been addressed here, but I just want to point out to the body, 21 states have completely banned it. Twenty-one states. Seventy major cities, including across Florida, Georgia, Kentucky, Ohio, have banned conversion therapy. The Supreme Court, three times, the most recent being in 2019, has upheld bans of conversion therapy. It's essentially trying to hypnotize a child to say that they're straight. Lots of consequences can come out of that, that's been discussed here on the floor.

The only other thing I would say is, you know, two of my largest cities—we're supposed to be here representing our constituents—Charleston, South Charleston, over the course of these past 18 years, for reasons known to them, have decided that they felt that it was important to have additional protections for a certain class.

I've said many times on this floor, there is no easier vote. This is obviously a very heated issue amongst this body, and obviously, for various reasons that I've said, you can see why. However, the easiest vote I will ever make in the Senate is to allow the voters to decide. And the local voters have voted their local city councils to make those decisions for themselves. If they don't like it, change it. Whether it's a state

referendum, whether it's . . . whatever . . . the easiest vote I'll ever make is not for me to make the decision for you, but let you make the decision for yourself.

So, for that reason, I would oppose the bill.

Relating to Home Rule Reform

(Passage of Eng. Senate Bill 579)

REMARKS OF HONORABLE BRIAN HELTON AND HONORABLE TOM TAKUBO

Monday, March 24, 2025

SENATOR HELTON: Would the Senior Senator from the Seventeenth yield?

MR. PRESIDENT: Senator yield? Senator will yield.

SENATOR HELTON: Thank you.

I know you're a medical professional. Can you explain what conversion therapy is because you said there was a lot of confusion about that? Can you tell the body what conversion therapy is?

SENATOR TAKUBO: So, conversion therapy . . . I can tell you what it's not, which may be simpler. It wouldn't prohibit you from getting counseling, from getting spiritual leadership. In fact, many times these kids probably need counseling and stuff. What conversion therapy does is when it tries to convince you from . . . you know, if it's an issue of a gay kid, that they are straight, that they're heterosexual.

SENATOR HELTON: Okay, so if I understood you correctly, conversion therapy is when a person—in this case, in this ordinance, a medical professional, presumably a psychiatrist, psychologist counts . . . someone licensed by this state—conversion therapy is where, if I'm a little boy and I think I'm a little girl and you convert me back to being my true biological sex, that's conversion therapy.

I can read you the definition of it out of the ordinance if you'd like me to.

SENATOR TAKUBO: Yeah, I think it's far more complex than that. But, if a little boy thinks he's something else, or a little girl thinks they're something else, and they have questions and they need counseling and all, that is not conversion therapy.

SENATOR HELTON: Well, that's how it's defined. Do you want me to read it to you? Because I can tell you, senator, when we talk about conversion therapy, that's a very important thing on the minds of our parents in West Virginia. And they want the rights and the ability to choose the counselors they send their children to.

As a matter of fact, you know a lot will send to Christian counselors, particularly where there's a confusion about whether they're being misgendered, whether they have sexual dysphoria, they're not sure male or female, parents, don't you agree, should have the right to choose to send their child to any type of counselor they want regardless of whether there's an ordinance in Morgantown, or Charleston, or Huntington? Don't you think we should put parents' rights first when it comes to these very important issues regarding this child?

SENATOR TAKUBO: Well, I do think parents should have the right, especially when they have a very complex, difficult medical issue. The problem I would have is if they're doing something that the overwhelming support across the country says can be very detrimental in terms of a specific therapy.

So, for example, if there was a particular individual that said chemotherapy could treat a child and turn them from gay to heterosexual, I would obviously be very opposed to that.

And if, again, the parents—and I think they should, right—oftentimes these children have a lot of issues going on . . . If they needed to go get counseling and therapy, whether it be Christian, whether it be medical, whatever, parents should be able to take that child to where they feel is best.

SENATOR HELTON: Right.

Unfortunately, these ordinances ban conversion therapy. So it does take away a choice, does it not? When we ban something,

does that mean we take away the choice to do that particular activity?

SENATOR TAKUBO: I think that bans a very specific, detailed type of therapy, not therapy in itself.

SENATOR HELTON: It says conversion therapy.

SENATOR TAKUBO: Which has been banned in 21 states, upheld by the Supreme Court because it's . . .

SENATOR HELTON: So you do support banning conversion therapy?

SENATOR TAKUBO: I would.

SENATOR HELTON: You do? On the record, you do support banning conversion therapy?

SENATOR TAKUBO: I would . . . I would . . . I support . . . again, I'm not a psychiatrist, I'm not a counselor, I'm not a pediatrician . . .

MR. PRESIDENT: What purpose does the Senator from Wetzel seek recognition?

SENATOR CLEMENTS: Point of order, Mr. President.

We're supposed to be debating the bill, not conversion therapy.

MR. PRESIDENT: Point's well taken. Keep your comments to the bill.

SENATOR HELTON: Thank you, Mr. President.

Okay, so back to the bill. The Senator from Brooke and I had a conversation—I'm sure you heard that conversation—when we talked about cities passing ordinances that dictate scope of practice for medical practitioners, either physical or mental health providers, or whatever the case may be. Do you think that ordinance would be unlawful when it tries to dictate to a doctor like yourself how you can and can't practice things you are and aren't allowed to perform and mentions the fact that you're licensed and that could be . . . By ordinance, you're creating an unlawful act. Do you think that's a good piece of ordinance or a good piece of law by these cities or do you think it's something that's not lawful?

SENATOR TAKUBO: Yeah, I think we're getting to the weeds.

So I don't think that scope of practice . . . there are guardrails. So, by definition, what is scope of practice, right? What is standard of care, which is what I think you're really getting at?

Standard of care is what a prudent clinician would do in a similar circumstance for an individual of a certain illness or circumstance. And when every medical discipline says that a particular therapy is harmful, [inaudible] hurtful, then in this instance, they should ban that, right? Or they should be opposed to that.

SENATOR HELTON: So do you think the cities should dictate what you can and can't do as a doctor or do you think that should come from the state medical licensing board and entities such as that?

SENATOR TAKUBO: Yes, I think the state boards, whether whatever medical discipline you're talking about, should make sure that those clinicians are practicing within the guardrails put forth by the Legislature.

SENATOR HELTON: So the cities shouldn't be dictating that to you, is that correct?

SENATOR TAKUBO: The cities should not be dictating. The cities should be . . . I think, have certainly the ability to say that we shouldn't be harmful to its citizens.

SENATOR HELTON: Okay, no more questions.

Thank you, Mr. President.

Creating Joel Archer Substance Abuse Intervention Act

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 761)*

**REMARKS OF
HONORABLE
MIKE STUART**

Saturday, March 29, 2025

SENATOR STUART: Great. Thank you, Mr. President. And thank you to the body for the courtesy of moving this up on our agenda today.

You know, this bill creates the Joel Archer Substance Abuse Intervention Act and expands the existing basis for involuntary hospitalization to include instances where: (1) The individual has a substance use disorder; (2) has lost the power of self-control with respect to substance use; (3) is in need of substance abuse services; and (4) has impaired judgment to the point of being incapable of appreciating the need for services and is further incapable of rational decision making.

This legislation also requires that, in addition to detox, the individual agree to a voluntary treatment for substance use disorder.

We had testimony in our committee that our Supreme Court could promulgate procedural rules to give effect to this law.

And finally, as an incentive, the legislation restores firearm possession rights for anybody concerned about those issues—and they're important—through an expungement process that removes the person and their mental health registry from that order when substance use disorder rehab is complete.

Now, Mr. President, this is an important bill. I think this is the type of bill that we were sent here as senators and as elected representatives to focus on in.

That wallet you hear so much about—and I know some people give me a hard time for carrying that wallet—but the first picture that was placed in here years ago was a picture of Joel Archer. And his picture is emblematic of families across . . . gosh, I'm sorry . . . it's emblematic of so many people who suffer through substance use disorder, who have a son or daughter . . . that all they ask for is one more chance. Just one more.

You know, Joel passed away in June of . . . sorry, I'll collect myself . . . I apologize for that. He passed away in June of 2013. He was 24 years old. And this is the Joel Archer Substance Abuse Intervention Act. But this is . . . it could be "Anybody's Family" Substance Abuse Intervention Act. And the pain and the suffering, the toll it's placed on the people of West Virginia, the families who every Christmas and every Easter, every spring break, every vacation . . . It's been 12 years, but I can tell you that the

pain of that day for that family is no less today than it was the day they got the knock on that door or the call on that phone.

We need to do more as to the scourge. It is thousands and thousands of people. I pulled up the numbers last night . . . it is thousands and thousands of people year after year after year.

This is an important bill of hope. I heard Stacie, Joel's mom . . . I'll point out she's been such a hero in our community for recovery services. She turned her grief into real change when she worked so hard to bring a women's rehab center to Charleston. There were protests. Folks fought that effort. The neighbors didn't want it. But today, those same neighbors have signs in their yards of encouragement to the hundreds, perhaps thousands, of folks who have gone through that center. I salute her and her husband, Wendell, and your daughter, Nicole, because I know you deal with this pain on a daily basis and this bill has your son's name on it.

But I know this bill represents every family that has suffered with the pain and torment, and the challenge, and the chaos, and the misery of substance abuse disorder for our families. It is every family. It is every demographic. It is rich and poor. It is black and white. There's no demographic that has been spared from this pain and the misery of this effort.

And I apologize for going on, but these are the pictures that torment me. And I've sat in the silence of the dark of night . . . And it's real. And my wife says at some point I have to put this away. I decided to come here where I can work with each of you to try to make a difference for these families. And so I very much appreciate the help of my committee and the people in this body.

I know it is unanimous in our condemnation of the pain these families have, but our support, our embrace, our hug, and our love for those who fight each day for recovery.

And so, Mr. President, this is a bill of hope. This may be a small bill, a small bill, but it is so big for the people of West Virginia. There will be people who recover because we gave them another chance. And every parent wants just one more shot to make a difference for their kids.

So, Mr. President, I thank you for the opportunity to speak to this bill. It's a bill that speaks to my heart and I think it speaks to the

soul of West Virginia . . . and I know it speaks to the family of Joel Archer.

I urge passage, Mr. President.

Creating Joel Archer Substance Abuse Intervention Act

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 761)*

REMARKS OF HONORABLE BRIAN HELTON

Saturday, March 29, 2025

SENATOR HELTON: Thank you, Mr. President.

I speak strongly in support of this bill as we face the greatest scourge of a lifetime that's ever really been perpetrated on any society here in West Virginia. And our children are being targeted by those who deal death. And we have families all throughout our state that are in great despair right now.

I would venture to say everyone in this body has been touched by this directly. All of us have, I would venture to say, have family members . . . and we've seen the battle that goes on . . . and sometimes this process goes on for many years.

This bill gives those families some peace, and some hope, and some ability to at least try to save that person's life. And a lot of times it's just one more chance for them to get on this road to recovery.

Mr. President, I was fortunate enough last week to visit the ministry that sprung out of this terrible tragedy that Stacie Archer has been such a huge part of. Its Recovery Point for women here in Charleston. There's over 83 women at all times that go through this long-term, absolutely successful, abstinence-based recovery program. And so many times we see throughout our state . . . I want to employ the West Virginia First Foundation to get involved with these types of programs to make sure that money's spent purposefully and we're putting them to the programs that actually, long-term, break this cycle of addiction and give these boys, girls,

young people, men, women from all walks of life in West Virginia a chance to recover.

I strongly support this bill.

Mr. Chairman, thank you so much for running this. It's going to be so meaningful to our state. We need to continue to fight for this. We need to continue to fight for improved recovery programs, tougher laws, and we need to strengthen everything we do today.

I think this is a great step in the right direction. We all as a body need to commit to continue to fight this plague in West Virginia.

I am the chairman of the Substance Use Disorder Committee here in the Senate, so I'm a little biased towards this subject, but I really believe this is the number one issue in West Virginia.

We recover so many areas when we can bounce back from this, so let's continue to work hard over the many years to come to fight this and do everything we can. And in the meantime, let's fight for every one of our children out there who are facing this dire consequence in their life.

So, Mr. President, I urge strong passage of this bill.

Thank you.

**Creating Joel Archer Substance
Abuse Intervention Act**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 761)*

REMARKS OF
**HONORABLE
T. KEVAN BARTLETT**

Saturday, March 29, 2025

SENATOR BARTLETT: Thank you, Mr. President.

I also rise in support of the bill with appreciation to the chairman for shepherding it this far.

I understand the legal evaluation of limiting someone's personal freedoms. We have the luxury of looking at it from that perspective. What hopefully none of us will ever have to endure is looking at it from the personal perspective of being on the brink of losing a loved one to the chains of addiction, and to provide those families with a tool of last resort . . . a tool of last resort to save a life is vitally important.

I urge passage.

Thank you, Mr. President.

**Creating WV Small Business
Appreciation and
Acknowledgement Act**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 639)*

REMARKS OF
**HONORABLE
ERIC J. TARR
AND
HONORABLE
JASON BARRETT**

Wednesday, April 2, 2025

SENATOR TARR: Thank you, Mr. President.

Given this affects our revenue, I'm hoping the Finance Chairman would yield.

MR. PRESIDENT: Will the Finance Chairman yield?

SENATOR TARR: Thank you for yielding, senator.

SENATOR BARRETT: Of course.

SENATOR TARR: This is a tax credit bill, correct?

SENATOR BARRETT: Yes.

SENATOR TARR: Okay.

When we carve out a tax credit for an individual group and reduce the revenues that

come into the state off of that individual tax credit, how do we make up for that lost revenue?

SENATOR BARRETT: Well, you either have to gain revenue from some other source or you have to make a cut.

SENATOR TARR: Make a cut, okay. I appreciate that.

So when we passed the Income Tax Reduction Act where we have reduced taxes a little over a billion dollars over the past few years, and that trigger that goes into that is when our revenue exceeds the price index, consumer price index, by one percent or more, then it cuts our revenue automatically back to be in line with the growth of cost index. Is that correct?

SENATOR BARRETT: That is correct.

SENATOR TARR: Would you agree that in the past few years we have exceeded the tax reduction rate that that trigger would have had?

SENATOR BARRETT: Oh, without question.

SENATOR TARR: Okay, so we did that by reducing taxes to seniors, is that one of them?

SENATOR BARRETT: Seniors, some personal property tax, personal income tax, yes.

SENATOR TARR: Okay, for having done that, is there a risk . . . when we accelerate the tax reductions, is there a risk of either having to go back in and grab more revenue or to go in and find more cuts, say, in the next couple years?

SENATOR BARRETT: Senator, anytime that we spend above the natural growth in our state's budget, we always run the risk of having to make an adjustment to account for that.

SENATOR TARR: And to my recollection, last year we went about two and a half percent past that?

SENATOR BARRETT: I think that's accurate.

SENATOR TARR: And then the year before that we went about one and a half percent?

SENATOR BARRETT: Senator's correct.

SENATOR TARR: Does the effect of a tax credit have the same effect as an expense when you have to look at the budget?

SENATOR BARRETT: Yes, whether you . . . the bottom line is the same. Whether you reduce the amount of revenue in or you increase the expense out has the same net effect.

SENATOR TARR: Okay, so then my question then becomes is when we do tax credits, do we pick a winner and loser in the tax code?

SENATOR BARRETT: I think that is certainly one way to view it. I think there are . . . I think the intent of tax credits in many cases is to spur some type of investment that would ultimately have a net positive to the state's budget.

Now it's a policy decision whether you think this one does that or not.

SENATOR TARR: Okay, thank you. Thank you for yielding.

SENATOR BARRETT: Sure.

**Creating WV Small Business
Appreciation and
Acknowledgement Act**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 639)*

**REMARKS OF
HONORABLE
ERIC J. TARR**

Wednesday, April 2, 2025

SENATOR TARR: Mr. President, you're not going to see me do this very often, [inaudible] on the floor, because I think a lot of times we make better decisions than this before these bills get to the floor, but I'm going to speak against this tax credit for small businesses. And the reason I'm doing that . . . Actually, now I'll have to ask for a Rule 43, I guess. Maybe I should do that first before I vote, too. I'll ask that after I say this.

I have a lot of small businesses across this state. They go from one end of it to the other.

And so in looking at the bill, I look at when we consider tax policy in the State of West Virginia is . . . well, how should you take it in consideration?

One, I agree that we absolutely need to reduce taxes. When you do that, in West Virginia, because we only have about 800,000 people who actually pay income tax in the state to support the 1.77 million people in the state, is that you have to do tax cuts that motivate behavior in West Virginia. So you want to . . . if you want to cut taxes a dollar, you want to hope you bring in three dollars for having made that tax cut to the general revenue because we still have to pay for the services of government like fixing the potholes that are everywhere out there right now. Because every year we go out and, for the past several years, put a \$100 million to \$150 million to fix some potholes, which matter a lot to my small businesses across this state and every other small business person in West Virginia. This, at the scale of it, does not change the behavior of a small business owner in West Virginia. It's, "Hey, great. I appreciate it."

It even says there, small business appreciation. I appreciate you acknowledge me, I appreciate that you're thinking about small business, but you know what? It's just . . . it's just going to be another piece that goes [inaudible].

It absolutely does not do anything at the level of this credit to change the ability of a small business to invest in West Virginia. When, if we were to eliminate the income tax, which we push this out further and further every time we start carving up this code and pick winners and losers at a point where you get the 50 percent reduction on that, we become a major player in the country, Mr. President. If we get to a point where we can eliminate personal property taxes, we become a major player in the country competitively.

But instead, we're going to look at the hood ornament, give somebody a pat on the back, and then reduce our ability to actually do a meaningful tax cut for those individuals.

So, I'm a "no" vote on this bill.

**Creating WV Small Business
Appreciation and
Acknowledgement Act**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 639)*

**REMARKS OF
HONORABLE
TOM WILLIS**

Wednesday, April 2, 2025

SENATOR WILLIS: Thank you, Mr. President.

You know, I've heard not just in my district, but all over the state, constituents complain about the fact that we give hundreds of millions of dollars to big businesses to try to lure them into our state, but what about the little guy? What about the business owners that are already here in West Virginia? What about the small guy? You know, for one project that this body recently approved, the economic incentives came out to over \$600,000 per job created. And this bill's talking about a \$500 credit for smaller businesses. It would take 1,200 years for that small credit to equal the same cost to the state that we offered this one business that wasn't here before that came in at \$600,000 per job. We're talking about our West Virginia small businesses.

And this is what I hear from constituents. They're slugging it out every day. They've proven that they love West Virginia. They're loyal to West Virginia. They're here. They're running their businesses. They're raising their families here, and they've been ignored. They feel ignored.

We're giving all the incentives, hundreds of millions of dollars, to these large businesses that aren't even here yet. And these folks, these small business owners, have been slugging it out for years in many cases. And I don't think they should feel taken for granted. We're talking about our bakers and chocolatiers. We're talking about our West Virginia dentists, our bookkeepers, our local insurance agents. We're talking about tourist venues, our farmers, restaurateurs . . . businesses of all types in West Virginia.

Here are a couple statistics to consider, 98.9 percent of businesses in West Virginia are small businesses. That's nearly 99 percent of businesses in West Virginia are small businesses, and they feel ignored.

Small business in West Virginia employs right at 270,000 employees. We force our small business owners to collect taxes from every single one of those 270,000 employees. We expect them to do this by not only running their business Monday through Friday to try to make ends meet and put food on the tables, we force them to do this late on Friday nights. We force them to miss games on Saturday and Sunday to comply with laws that we put on their shoulders. This is a way of counteracting that tax on their time.

You guys have heard me this session talk a lot about whenever we put a regulation on anybody, especially business owners, that's a form of taxation. And if anything, this is just a rebate to say, hey, we acknowledge that your time has value and here's a small credit to allow for the bookkeeping that you have to do, the reporting you have to do, the taxes that you collect for us, we're forcing you to do this without paying you to do it. And this is a way to show them that we hear you, that we do care.

You know, history tells us that once upon a time, the Israelites were slaves in the land of Egypt. They were in a condition of slavery. They moved, thanks to the leadership from Moses and Aaron, they moved from that land of slavery through the desert. They still had to wake up, move when they were told to move, sit down when they were told to sit down, but they were moving. They weren't in slavery anymore, they were moving through the desert. And eventually, they got to the Promised Land.

And the Bible tells us in the Promised Land, every man had his own field. What does that mean? Every person was a business owner. Every person was producing for themselves.

And so, in West Virginia, I would posit we need to change the culture of the state, and not so that our people are asking how do I maximize my government benefits without having to work? That's the condition, that's the condition, the equal condition of the Israelites in a condition of slavery. They're slave to the government at that point. They have to vote how they're told to vote. They have to do what they're told to do. Better than that is, how do I find a good job? That's the equivalent of moving through the desert. They're not in a condition of slavery anymore, but they still have to stop when they're told to stop. They can eat what they're given to eat. They've got to move when they're told to move. That's better, but let's bring West

Virginia to the Promised Land, where every person had their own field.

That's the mentality that we need to create in West Virginia: How do I start my own business? That's the culture shift that we need to engender, and that's what this bill does.

Mr. President, this bill sends a strong signal to West Virginia and everyone who comes here that West Virginia is open for business, not just big business, but small businesses, too; that we are pro-business; we want you to start a business; and we appreciate our small business owners; we appreciate their very valuable time; and we need to let them know West Virginia is working to help them.

I urge passage of this bill.

Thank you, Mr. President.

**Creating WV Small Business
Appreciation and
Acknowledgement Act**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 639)*

**REMARKS OF
HONORABLE
CHARLES H. CLEMENTS**

Wednesday, April 2, 2025

SENATOR CLEMENTS: Thank you, Mr. President.

There's no one who supports or believes in small business any more than I do. But there's one thing about this bill that scares me, and I asked in the Finance Committee meeting, what's this going to cost? What's this going to cost the state? And they said they cannot reasonably estimate the cost of this bill to the state, and unfortunately, or fortunately, I'm reluctant to vote for a piece of legislation that we don't know what it's going to do to us, and therefore, I rise in opposition to this bill.

**Creating WV Small Business
Appreciation and
Acknowledgement Act**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 639)*

REMARKS OF
**HONORABLE
ERIC J. TARR**

Wednesday, April 2, 2025

SENATOR TARR: Thank you, Mr. President.

I forgot to conclude on there by asking about Rule 43. As a small business owner who also understands tax policy very well in the State of West Virginia, I request a ruling on whether I should vote for this bill or not.

MR. PRESIDENT: Chair rules that you're considered a member of a class and you'll be required to vote.

SENATOR TARR: Alright.

And I just want to make a point how much I do appreciate what this Legislature and members of this body that have been here over the past 10 years have done with fiscal discipline to reduce taxes annually by a billion dollars. Most of that, which goes through pass-through entities that are your small businesses in West Virginia And just some of those, Mr. President, we're up to . . . over, I think it's over 25 percent now, on the 27 and a quarter percent, something like that, on income tax reduction.

We also gave a personal property tax credit to every small business that has a million dollars or less in inventory against that . . . what they pay for taxes on their inventory. We've also passed legislation that allows a pass-through entity, which is almost all your small businesses in West Virginia, to let that entity pay the taxes that the state charges them and then reduce the income that they have to report to the federal government for having let the entity pay the tax instead of the person paying the tax.

So we have done even beyond the billion, so much more of that for small businesses.

What this does is this gets in the way of being able to do that level of tax cut.

I urge a "no" vote.

Establishing Forest Carbon Registry

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 730)*

REMARKS OF
**HONORABLE
ERIC J. TARR**

Wednesday, April 2, 2025

SENATOR TARR: Thank you, Mr. President.

This bill establishes a forest carbon registry to track properties in West Virginia that are encumbered by carbon offset agreements or project and ensure the transparency and accountability in the management of the forest carbon resources.

This has come out of the Green New Deal type of stuff that is coming across America where people buy carbon credits. And in this specific instance, venture capital groups. And the land that gets tied up within West Virginia against being able to go in and timber that land for having bought it ends up in agreements that lock land up for our timber industry for about . . . sometimes up to 99 years. And then somebody can go in, have . . . when they sell that property, that contract remains with it but, however, when you go to purchase the deed, or buy the land, you may not know that that's tied up for 99 years and not be able to timber it. That's one thing on it.

The other thing is, is for these venture capital groups locking up the timber so that the . . . which is a very large industry in West Virginia is the timbering and lumbering for the forestry industry here. We are having hundreds of thousands of acres that are locked up that are no longer accessible to that industry and those workers here in West Virginia.

So this is something where if they do not record it, there are penalties in here. There are civil penalties on the deed and there's a tier of times . . . they have up to three times before that there's actually . . . let me get to the actual last penalty on it . . . that it's a suspension of the business license.

So, Mr. President, I urge passage of the bill. This is by request of our timberers in West Virginia.

Establishing Forest Carbon Registry

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 730)*

REMARKS OF
**HONORABLE
MICHAEL A. WOELFEL
AND
HONORABLE
ERIC J. TARR**

Wednesday, April 2, 2025

SENATOR WOELFEL: Mr. President, would you ask the senator to yield?

MR. PRESIDENT: Senator yield? Senator does yield.

SENATOR WOELFEL: Okay, so we went through this last session didn't we . . . a similar bill to this involving these sneaky out-of-state venture capitalists that are going to shut the timber industry down? Remember all that? You and I got into the same discussion right?

SENATOR TARR: Yeah. This is the same . . . It's going after that same practice that is locking up West Virginia land but it's a different bill than what we've discussed before.

SENATOR WOELFEL: Yeah. I understand it's a different bill.

So what about the property owner that wants to engage in this agreement and make money off his timber land in this way? Why would we . . . Are we depriving that person from making money on his property, or her property?

SENATOR TARR: No, not at all.

SENATOR WOELFEL: Oh, so they can still voluntarily do this?

SENATOR TARR: They can still do it. Yeah, absolutely, they can still do it.

SENATOR WOELFEL: What are we preventing then if they can still do it?

SENATOR TARR: What it does is . . . it does two things . . . the registry that allows . . . is one is that if you were going to go buy a property that it has one of these agreements on it, it would have to be recorded on that deed. It's kind of like if you were going to buy a property in a homeowners association and there's . . . on that deed it has, you know, it's going to tell you that there are encumbrances on that deed according to the contract for the homeowners association . . . so you're agreeing to that when you buy that property. So then what this does is this creates transparency so that you can buy the property eyes wide open.

SENATOR WOELFEL: Okay, I agree with that. That's good. And what else does it do?

SENATOR TARR: It also says . . . It says at a minimum the legal description and the property encumbered by a carbon offset agreement or project with reference to the tax map [inaudible] it has to be recorded on the deed, it has to have a GIS shape file delineating the boundaries, encumbered properties . . .

SENATOR WOELFEL: Slow down. I'm sorry, I didn't understand what you said.

SENATOR TARR: Sorry, it has to have geographic information study where it shows the actual property that it's encumbered on the deed.

SENATOR WOELFEL: Legal description. Yeah.

SENATOR TARR: Yeah, the actual description of the property.

SENATOR WOELFEL: Got it.

SENATOR TARR: It also says it has to have the names and contact information of the landowners, developers, and purchasers that are associated with that contract.

SENATOR WOELFEL: Okay.

SENATOR TARR: The date of execution of each agreement and initiation of the project, and the duration of it. So, is it a one-year contract, is it a 10-year contract, is it a 99-year contract?

SENATOR WOELFEL: Right.

SENATOR TARR: And the division . . . allows the division to promulgate legislative rules pursuant to the code. And it also has . . . that it provides for civil penalties.

SENATOR WOELFEL: Okay. So I understand all that. So we're just making people disclose what they're selling when they sell a piece of property. I'm all for that. That's great.

So what are we doing to stop this from happening? It sounded to me like it was [inaudible] of a cultural issue here that we don't want carbon capture to be taking away our timber industry . . . or inhibiting. That's what it sounded like in your explanation. That's probably not fair to ask you that but I want to make sure I'm not missing something.

SENATOR TARR: That's the motivation for what brought the bill before us is so that we can actually see how much land is actually tied up. So, in previous discussions when we had . . . last year . . . this bill does not do this. Last year, and maybe the year before that, we had a bill before us that put an excise tax on that carbon credit. It was up to a 50 percent excise tax on that carbon credit. That would have tried to put a chilling effect on that activity.

So some of the debate is, is well how much of this is actually going on.

SENATOR WOELFEL: Right.

SENATOR TARR: So this is just reporting. So that's what this produces, is that report.

SENATOR WOELFEL: I accept that. I just wanted to make sure that . . . because we had this very same discussion last session. And I think most . . . the majority of the body agreed that that excise tax would have imposed undue burdens on a person's right to use their property to profit from it as they saw fit and that's not the case here is it?

SENATOR TARR: That's not the case here.

SENATOR WOELFEL: Thank you.

Establishing Forest Carbon Registry

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 730)*

REMARKS OF
**HONORABLE
TOM WILLIS
AND
HONORABLE
ERIC J. TARR**

Wednesday, April 2, 2025

SENATOR WILLIS: Thank you, Mr. President.

Will the Senior Senator from the Fourth yield?

MR. PRESIDENT: Senator yield? Senator will yield.

SENATOR WILLIS: Are there fines in this bill?

SENATOR TARR: There are. There's three tiers of fines.

SENATOR WILLIS: Can you explain those, please?

SENATOR TARR: Sure.

The first offense is a civil penalty, \$2,500. And these are penalties that says that any developer or landowner, where there is no developer, who fails to record with the registry of carbon offset agreement or carbon offset project as required by §19-1D-3 of this article, is subject to the following penalty . . . so, if they're not doing the deed recording, the first is a civil penalty of \$2,500, the second is a civil penalty of \$5,000, and for any subsequent offense, a permanent suspension of the responsible party's West Virginia business license.

SENATOR WILLIS: Can those fines be applied against the landowners?

SENATOR TARR: Not if they don't have a business license.

SENATOR WILLIS: Pardon me?

SENATOR TARR: If they don't have a business license, then no.

SENATOR WILLIS: Are you sure?

SENATOR TARR: Well, that's the way I took it.

SENATOR WILLIS: The way I read the bill, a landowner . . .

SENATOR TARR: Sorry. Sorry. So the fines can . . . but the license suspension can't.

SENATOR WILLIS: Oh. Okay. Okay, it can apply to landowners.

SENATOR TARR: It can. It can. Yes.

SENATOR WILLIS: Oh. Thank you for clarifying.

SENATOR TARR: Yeah.

SENATOR WILLIS: Are you aware . . .

SENATOR TARR: Can I finish there before you speak over me?

SENATOR WILLIS: Go ahead.

SENATOR TARR: I apologize. That was . . . I did misrepresent that but it was by accident.

SENATOR WILLIS: Are you aware that a \$5,000 fine is how much the State of West Virginia charges a person for their third DUI?

SENATOR TARR: No, never had a DUI.

SENATOR WILLIS: And that's the fine that you're potentially imposing on landowners?

SENATOR TARR: If you say so. I've never had a DUI. Have you had a DUI?

SENATOR WILLIS: This bill includes court action. I think you said civil penalties.

SENATOR TARR: Civil penalties.

SENATOR WILLIS: Can you recap for us the speech that we've heard many times on creating causes of action in West Virginia?

SENATOR TARR: This is not a private cause of action.

So I appreciate that.

SENATOR WILLIS: It's not a cause of action?

SENATOR TARR: Not a private cause of action.

SENATOR WILLIS: It's not a private cause of action.

SENATOR TARR: There's a difference.

SENATOR WILLIS: But a landowner could be sued?

SENATOR TARR: In any situation a landowner could be sued.

SENATOR WILLIS: I'm talking about the situation within this bill. Can a landowner be sued?

SENATOR TARR: It's an administrative penalty assessed by the Division of Forestry.

SENATOR WILLIS: The Forestry Division may pursue enforcement actions through the appropriate courts . . . and that's against landowners, potentially.

SENATOR TARR: And that's against the landowner but it's not a private cause of action because it's the state doing it.

SENATOR WILLIS: What have you told us about causes of actions? Because I think . . .

SENATOR TARR: So . . . what I've said about private cause of actions . . . and I would agree. And maybe I should have started . . .

This bill does not have a private cause of action. And you asked me for the speech, so I'll give you the speech, and I'm happy to do that here.

SENATOR WILLIS: Preferably, every time in the same patronizing tone.

SENATOR TARR: No, no . . . let me finish. I'm yielding and I will continue to yield as long as you allow me to answer questions. And you asked me to give the speech that I have here on private cause of action so I'm going to give that speech on private cause of action.

The private cause of actions, when you stack those up in West Virginia Code, what happens is when businesses look across the State of West Virginia, or, excuse me, across the United States where they're going to locate—in fact, globally, when we're talking Fortune 100s, Fortune 150s, Fortune 200s, and Fortune 300 companies—when they look, they look at what's the risk to do business in this state. And the more that we

stack up private causes of actions, irrespective of what they are, is that it's the numbers . . . it's how litigiousness is that state on the private cause of action. How am I going to get sued for my employment law? How am I going to get sued for something I might do if I have a certain smell from my business from a landowner that's next to it? Is there a private cause of action? That stacks up, and stacks up, and stacks up and what happens is the more of those that are on there—and I'm telling you this from talking to Fortune 100 CEOs—when they're finally here and we're saying, okay, why did you choose us, they don't tell the other places where they didn't go was because they could so easily get sued and what they look at is private cause of action.

So, this bill, I made sure, had no private cause of action.

SENATOR WILLIS: Are some businesses in the business of owning land?

SENATOR TARR: Certainly.

SENATOR WILLIS: Does this bill create a cause of action against them?

SENATOR TARR: It creates a civil penalty.

SENATOR WILLIS: This division may pursue enforcement actions through the appropriate courts to ensure compliance with this article.

SENATOR TARR: That's how the state brings a civil action . . . a civil penalty.

SENATOR WILLIS: Does this . . .

We'll agree to disagree on your interpretation of a cause of action. I just heard an impassioned speech against the Senator from Jefferson's bill because it creates a cause of action but it seems like your bill also has a cause of action.

SENATOR TARR: I did not say that her bill brought a cause of action and the point of order on this . . . it's a different bill. But I will say it created increased regulatory burden and increased expense to the small builders, excuse me, the small home builders of West Virginia. And it absolutely does. We just raised the cost of home building with that bill, but we're talking about another bill there.

SENATOR WILLIS: Does this bill raise expenses for businesses?

SENATOR TARR: This would if they get a civil penalty.

SENATOR WILLIS: Are there fees associated with this bill?

SENATOR TARR: Okay, so there's only civil penalties in this bill. There are no fees, additional fees in this bill. And since it doesn't give a path for a private citizen to bring a cause of action, there is no private cause of action in this bill.

SENATOR WILLIS: §19-1D-2 of this bill, if I read it correctly, (b), I'm sorry, (c)(2), §19-1D-2(c)(2), the Forestry Division shall establish reasonable fees. So, would you like to correct yourself again?

SENATOR TARR: There are not fees built into this bill but they can establish fees.

SENATOR WILLIS: Would you agree that fees are akin to taxes?

SENATOR TARR: I would agree that fees are akin to taxes.

SENATOR WILLIS: So your bill is raising taxes on West Virginians?

SENATOR TARR: It has the potential to but if they find that there's no administrative cost to administer this, then there's no fees necessary.

SENATOR WILLIS: What do you think the likelihood and honesty is that they will find no administrative cost?

SENATOR TARR: There are times when we do this and there's all kinds of times when we pass bills here that we request a fiscal note and we expect that there may be fees associated with it . . . and many times it'll come back say, no, there's no additional fees, all we have is just an additional form to record it.

SENATOR WILLIS: Thank you, senator.

SENATOR TARR: You're welcome.

Establishing Forest Carbon Registry

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 730)*

REMARKS OF
HONORABLE
TOM WILLIS

Wednesday, April 2, 2025

SENATOR WILLIS: There's a reason the Farm Bureau is opposed to this bill because it's an assault on landowners' rights. It's an assault on privacy of contracts. It's an assault on business rights. It grows government. It raises taxes. Let the record show this bill proposed by Senior Senator from the Fourth raises taxes. So if anybody in here has taken an oath not to raise taxes, this bill raises taxes.

Farmers are business owners as well. Many in my district might struggle to break even for decades with the hope that eventually when it's time for them to retire they can cash out on the value of their land. This bill reduces the value of their land by putting additional red tape on it, setting traps for landowners that may have no idea that this bill exists, and those same farmers can lose their business licenses because of this bill.

I support a hundred percent the concept of excise taxes on businesses outside the state coming in to purchase or sell . . . buy or sell carbon credits. And I think that the way to do this correctly is to take the risk off of our West Virginia farms, our West Virginia landowners, and put that notification risk on the outside businesses that are dealing in these carbon credits. That's the proper way to go about achieving this goal. This bill does not do it. It raises taxes. It puts our landowners at risk. It decreases the value of their property, increases regulatory board burdens for the landowners, for businesses, for the county clerks.

Therefore, Mr. President, I speak in opposition to this bill.

Establishing Forest Carbon Registry

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 730)*

REMARKS OF
HONORABLE
MICHAEL A. WOELFEL

Wednesday, April 2, 2025

SENATOR WOELFEL: Thank you. Thank you, Mr. President.

I think the Junior Senator from the Fifteenth is on to something here.

When I was campaigning last election and I was with farmers in lower Wayne County, they wanted to know how in the heck does a Democrat get endorsed by the Farm Bureau . . . which I have been each time I've run. That's because I listen to the Farm Bureau.

Farm Bureau is the only voice in this capitol for farmers. And I don't mean, you know, those big, big, big farmers, I mean mom-and-pop, family farms. And, yeah, Meemaw's probably got a farm with Peepaw.

Okay, so . . . when I look at this bill that . . . interchangeably, each paragraph to me that is important, uses the term developer or landowner. So everywhere in the bill where there's an obligation being placed on somebody in West Virginia, it's on the developer, but it's also equally on the landowner.

So I rise in opposition to this bill. It's the same premise as we had before. Last year we were putting this huge excise tax which was going to be borne by the landowner because it would lower the price he would get in exchange for entering into this carbon capture deal.

But I believe that our citizens should be able to use their land as they see fit without the intrusion of Charleston and the state government and we should not impede that with taxes or fees or anything other than, you know, than just common sense and general law.

So, for those reasons, I stand in opposition of the bill.

Establishing Forest Carbon Registry

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 730)*

REMARKS OF
HONORABLE
JACK DAVID WOODRUM
AND
HONORABLE
ERIC J. TARR

Wednesday, April 2, 2025

SENATOR WOODRUM: Thank you, Mr. President.

Would the Senior Senator from the Fourth yield?

MR. PRESIDENT: Senior Senator from the Fourth yield? Senator does yield.

SENATOR WOODRUM: Thank you, Mr. President.

Senator, would you agree that for this body to make good decisions it needs good information?

SENATOR TARR: I would agree with that.

SENATOR WOODRUM: And does the bill we have before us seek to provide that information to this body?

SENATOR TARR: It does.

SENATOR WOODRUM: And does this bill provide information that would be of interest to the timber industry in the State of West Virginia?

SENATOR TARR: Oh, absolutely.

It would let them know whether they could establish a business or not based on how much the timber's tied up in a carbon offset agreement.

SENATOR WOODRUM: And would you also agree that the timber industry is a vital industry within the State of West Virginia?

SENATOR TARR: Yeah, absolutely. And it has been in a demise because of these practices recently.

SENATOR WOODRUM: And does this in any way prohibit an individual or a business from selling carbon credits?

SENATOR TARR: No. No, sir.

SENATOR WOODRUM: And would you also be . . . in a personal opinion, agree that this is being driven by industries within the State of California?

SENATOR TARR: That's what drove the previous excise tax bills. That was. That's accurate.

SENATOR WOODRUM: That was my understanding, too. I, obviously, just wanted to be clear.

And would you also agree that people entering into this may not understand necessarily the agreement they're getting into and that at some point in time they may determine that the terms that they've entered into do not correspond with the agreements with the State of West Virginia on managed timberland and, therefore, their property would no longer be considered managed timberland and, therefore, subject to a higher rate of taxation?

SENATOR TARR: That is what some of the people who requested this bill had told me. I've not spoke to individuals directly that said that that was their experience, but from the timber industry they told me that's happened when they've went to go to try to timber land.

SENATOR WOODRUM: So, potentially, by generating the information that we seek to generate with this, it would allow us to make decisions that would not only protect the timber industry but also protect the citizens of West Virginia.

SENATOR TARR: It certainly protects the citizens of West Virginia and the timber industry that exist in West Virginia.

SENATOR WOODRUM: Thank you, senator.

Thank you, Mr. President.

SENATOR TARR: I would, Mr. President, reserve the right to close on this as well. There's a couple things that have been said that I think that are blatantly false. So, just when the time's right, I reserve the right to close.

MR. PRESIDENT: Gentleman will be able to close.

Establishing Forest Carbon Registry

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 730)*

REMARKS OF
**HONORABLE
 TOM WILLIS**
 AND
**HONORABLE
 JACK DAVID WOODRUM**

Wednesday, April 2, 2025

SENATOR WILLIS: Thank you, Mr. President.

Would the Senator from Summers yield?

MR. PRESIDENT: Senator from Summers yield?

SENATOR WOODRUM: Yes, sir.

MR. PRESIDENT: Senator does yield.

SENATOR WILLIS: Thank you, senator, for yielding.

The reporting and information requirements that you're talking about, would it not be possible to draft legislation that would require those same notice requirements of merchants and carbon credits, purchasers of carbon credits, dealers in carbon credits, as opposed to putting that burden on West Virginia landowners?

SENATOR WOODRUM: I would imagine it would be possible. I will say that this language was drafted the last session, or the session before . . . we started in on this with a lot of input from stakeholders, and this was the language that some outside experts had brought to us as part of this as the best way to approach this situation.

SENATOR WILLIS: Thank you, senator.

I'll tell you, in about 10 seconds I thought of a way that we could accomplish that. Why don't we pass a bill, a better bill, that says if you're buying carbon credits in West Virginia, you have to report the information that we're seeking here?

Now that takes the risk and the burden and the damage off of our landowners and puts it on the people dealing in these carbon credits, which I certainly have no love for.

This bill, Mr. President, really demands a scalpel to accomplish what it's trying to accomplish, but also protect the rights of our

West Virginia landowners. And instead of using a scalpel, this bill comes in with a sledgehammer to the rights of our West Virginia landowners.

For that reason, I speak in opposition to the bill.

Thank you, Mr. President.

Establishing Forest Carbon Registry

*(Passage of Eng. Com. Sub. for
 Com. Sub. for Senate Bill 730)*

REMARKS OF
**HONORABLE
 JACK DAVID WOODRUM**

Wednesday, April 2, 2025

SENATOR WOODRUM: Mr. President, if I may?

MR. PRESIDENT: You wish to speak to the bill?

SENATOR WOODRUM: Yes. Just for clarification after speaking with counsel, as far as the landowner question you asked me, this is on the landowners unless there's a developer involved. So if there's a middleman involved, then the developer would have the responsibility and the liability of the reporting, is my understanding.

Establishing Forest Carbon Registry

*(Passage of Eng. Com. Sub. for
 Com. Sub. for Senate Bill 730)*

REMARKS OF
**HONORABLE
 TOM WILLIS**
 AND
**HONORABLE
 JACK DAVID WOODRUM**

Wednesday, April 2, 2025

MR. PRESIDENT: Senator yield?
 Senator yields for questions.

SENATOR WILLIS: If there's no developer, who is the risk on?

SENATOR WOODRUM: At that point, it would be the landowner . . .

SENATOR WILLIS: The landowner.

SENATOR WOODRUM: . . . if they enter into the contract directly. Yes.

SENATOR WILLIS: But I just explained to you, did I not, a method by which we could pass a different, better bill so we could get the same information that we're seeking without damaging our West Virginia landowners? Did you hear . . . did you hear . . . do you want me to repeat the bill that I just came up with in 10 seconds that's a better bill than this bill?

SENATOR WOODRUM: Well, you're certainly welcome to, you know, to discuss that.

But in talking here, you know, this is just a penalty if they refuse to comply with the law, which we have many such penalties on the books.

SENATOR WILLIS: A penalty that could be applied to West Virginia landowners, correct?

SENATOR WOODRUM: If they refuse to comply with the law . . .

SENATOR WILLIS: The same penalty that we put on a person with their third DUI . . . and they could lose their business . . . a landowner, or farmer could lose their business license, correct?

SENATOR WOODRUM: That would be a better question for the Judiciary Chair than me, sir.

SENATOR WILLIS: Thank you, senator.

SENATOR WOODRUM: Thank you.

Establishing Forest Carbon Registry

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 730)*

REMARKS OF
HONORABLE
ERIC J. TARR

Wednesday, April 2, 2025

SENATOR TARR: Thank you, Mr. President.

In this bill, there are no fees whatsoever if there is compliance with the law should this become law. So it doesn't raise any expense associated with landowners in West Virginia, or developers for that matter, unless . . . that they don't do the recording.

And then, also on line 15, subsection (d) of the bill, and I'll quote it here, "Where there is a carbon offset agreement between a landowner and the developer, the landowner is not responsible or liable for the developer's failure to comply with this section." So that liability that you're concerned about for the landowner and increasing risk is not there.

What is there in this bill is increased protection for anybody who would buy land in West Virginia, is that when you go to buy acreage in West Virginia that has timber on it, if you have no idea that there's a contract on it, and you want to go in and cut down trees so much as to build your house, that land's tied up because you can't drop the trees.

I think that what this does is creates transparency for someone who's going to purchase land in the State of West Virginia so that they don't go in and irreparably harm themselves for not knowing that this land . . . maybe 50, 60, 70, 90 years ago . . . was tied up into a carbon offset agreement.

Mr. President, I urge adoption of the bill.

Memorializing life of basketball legend Jerry West

(Adoption of Senate Resolution 44)

REMARKS OF
HONORABLE
MICHAEL A. OLIVERIO II

Friday, April 4, 2025

SENATOR OLIVERIO: Thank you, Mr. President.

As you all have noticed by the name of the resolution it is Senate Resolution 44 and we are offering it today on 4/4 . . . April fourth.

Now I know there are a lot of very important issues in West Virginia and we're working on those but I thought it was appropriate that we pause for just a moment to recognize one of West Virginia's favorite sons.

Jerry West passed in June of last year and was honored this winter at a WVU basketball game.

Jerry West was more than a basketball legend. He was a symbol of excellence, determination, and pride for the State of West Virginia. Born in Chelyan, he rose from humble beginnings to become one of the greatest players the game has ever known.

His time at West Virginia University cemented his status as a hometown hero.

West went on to have an iconic career with the Los Angeles Lakers. Developed the nickname "Mr. Clutch". Any of us that have ever followed basketball know that it is a silhouette of Jerry West that is the NBA logo. NBA championships, Olympic gold medal, hall of fame, all-star games . . . just an incredible career.

His legacy lives as an example to all young West Virginians that anything is possible with dedication and passion . . . hard work.

He embodied the value of hard work, perseverance, and resilience that we believe defines West Virginia.

His legacy in West Virginia will never fade and for what he stands. His impact will live on in West Virginia. In a few ways that it will live on, just this season alone, every student-athlete at West Virginia University, Mr. President, wore a patch with the number 44 on their uniform. Every sport.

Students at West Virginia University benefited from scholarships both in the past and in the future provided by Jerry West, and friends of Jerry West, who contributed to scholarship opportunities in honor of Jerry West.

I met Jerry West when this Legislature decided to name a road in Morgantown for him and he came to Morgantown for the dedication. And what I found most fascinating about this incredibly successful yet humble man was the

entire time during the dedication, Mr. President, he wanted to shine the light on a woman named Ann Dinardi who had been his house mother.

And to explain the situation—I knew Ann Dinardi my whole life—Ann Dinardi had a home next door to the Field House in Morgantown. And her and her sister had never married. They owned a big home and they rented out rooms to students. And it ended up becoming student-athletes on the WVU basketball team.

And he credited her during that entire dedication for all of his success. Credited her for getting him to not quit, getting him to come back to campus, all kinds of things. And I just thought it was just a tremendous act of humility that during that day in which he was being honored in his college town, he put her front and center.

And finally I want to share with you another way he'll be remembered. I was in Logan County many years ago for a dedication of an emergency shelter . . . and, unfortunately, there are times when Child Protective Service individuals and law-enforcement individuals have to remove children from a home. And imagine if you're one of those children, Mr. President, being removed from a home at two or three o'clock in the morning because of things occurring in that home. And imagine if you were taken to a beautiful children's home society, a place that had a room decorated with Jerry West basketballs and logos, a place that was safe where you were going to be treated, you know, in the best way possible. And it was Jerry West, and Buck Harless, and Willie Akers that helped make that facility possible. And it was in Holden, a mining community, and it was in the large superintendent's home that they converted into this children's home society. I had particular interest in it because my grandfather had been a miner down over the hill from the superintendent's home almost a hundred years earlier and I was there to see what that community looked like and what had occurred there.

And it was through Jerry West's charitable support that these scholarships I spoke of, this safe haven for children during their time of need, and so many other things have been provided.

So, while Jerry West is important to us as West Virginians, West Virginians think the world of Jerry West as well.

**Memorializing life of basketball
legend Jerry West**

(Adoption of Senate Resolution 44)

**REMARKS OF
HONORABLE
RUPIE PHILLIPS**

Friday, April 4, 2025

SENATOR PHILLIPS: Thank you, Mr. President.

As my colleague from "Mon" County mentioned Logan County a little bit and Willie Akers . . . Willie Akers was his roommate in college, best of friends.

And I'm not sure when the resolution was passed but I'm sure Willie had something to do with it. There's a road in Logan County, Route 44, it is the Jerry West Highway. And I'm glad to have that in my home county.

Thank you, Mr. President.

**Memorializing life of basketball
legend Jerry West**

(Adoption of Senate Resolution 44)

**REMARKS OF
HONORABLE
JAY TAYLOR**

Friday, April 4, 2025

SENATOR TAYLOR: Thank you, Mr. President.

There's so much to say about Jerry West: "The Logo", the legend, the "Clutch", 44.

It wasn't that I got to see him play but I knew from a very young age how important he was to West Virginia. In my hometown of Grafton, our local social center proudly displays a giant poster of him inspiring young athletes in our youth basketball league.

During my time at WVU, it was always a treat to play . . . shoot some hoops at Stansbury

Hall, the very Field House where he earned the "Clutch" . . . earned his name.

This past Christmas, my family gave me this piece of the Field House court and it's truly special to me.

I recall when Jerry West wrote his autobiography and held a book signing at the Coliseum. Back then I was a credentialed photographer for Mountaineer games and was capturing the event and what was supposed to be an hour-long event turned into several hours and Mr. West graciously stayed very late into the evening, multiple hours, to make sure that everyone, including me, got their book signed. That dedication reflects how much he cared for his fans.

And who can forget that stunning statue of Jerry West outside of the Coliseum. It's a popular place for photos and serves as a reminder of his greatness. This year they created a replica of the statue and was at the Jerry West Day during the Iowa State game and I was thrilled to take my daughter to witness it. It was an opportunity to instill in her the love for the Mountaineers and help continue the legacy of Jerry West for the next generation. She was a bit disappointed that she couldn't rush the floor after the upset victory over the then number two ranked team. But the attendance that day was a remarkable 14,444. It was also the day that WVU announced the retirement of his jersey, number 44, for all teams at WVU.

Mr. President, for this forever Mountaineer, I urge adoption.

**REMARKS OF
HONORABLE
VINCE S. DEEDS**

Monday, April 7, 2025

SENATOR DEEDS: Thank you, Mr. President.

Of course we're in the eleventh hour of this session . . . and this time next week we'll be home doing our regular duties for the citizens of West Virginia.

I just want to just take just a moment and reflect back on what we've accomplished. Yesterday I was at church and, you know, with

... and we were talking about different things. And everyone that came up to me asked me what have we accomplished here in this chamber, along with the House and the Governor's office. And I really didn't have an answer.

And it really bothered me. I cannot remember a session that we have been this far along and not really accomplished anything that is noteworthy. And so I was convicted by it.

And so—this is the first time I've ever stood up for remarks—but I just want to challenge each and every one of us because this is an esteemed chamber. It is. We should all be very thankful that we are here and we've been elected to be in this position, and God... I believe God has ordained us to be in this position, but this is our time. This is our time that we rally together and we put away... put away all these individual selfish ambitions that we may have and overcome.

And we cannot be a one-issue warrior. None of us can be. We have to stand up here for the citizens of West Virginia. We truly do. And that's what we are called to do. We have to look at the total picture and work with our House partners, work with the Governor's office and get something accomplished because I need to be able to go home and look at the people in my church, my sons, my granddaughter and say, "Hey, we have accomplished something here."

So my challenge to all of us, myself included, is let's get something done. We're in the eleventh hour. It's time for us to get together, work together, and move on.

Thank you, Mr. President.

Compliance Audits of Tabulating Equipment

(Adoption of Senator Weld's amendment to Eng. Com. Sub. for House Bill 3017)

**REMARKS OF
HONORABLE
RYAN W. WELD**

Tuesday, April 8, 2025

SENATOR WELD: Thank you, Mr. President.

My amendment would include some of the provisions of what was Senate Bill 489 (*Relating to election law violation complaints and procedures*) in that it sets specific statewide requirements for complaints of election law violations of which we are dealing with in the bill before us, in House Bill 3017. It requires the Secretary of State to notify complainants of deficiencies in their complaints and permit corrections of those deficiencies, requires what is our State Elections Commission to determine the sufficiency of and take appropriate action on complaints. It also authorizes the Secretary of State to require sworn statements and responses to interrogatories under penalty of false swearing.

It does differentiate in several spots from what was S.B. 489 in that it no longer requires the Attorney General to go to court to enforce a subpoena pursuant to one of these complaints, and it also no longer requires a county prosecutor to present a case of an election law violation to a grand jury. It's all permissive to try to overcome some of the prior objections.

Also, when it comes to the interrogatories portion, I've put it in line with our current Rules of Civil Procedure that govern proceedings in our state court system.

Happy to answer any questions.

I urge adoption of the amendment.

Compliance Audits of Tabulating Equipment

(Adoption of Senator Weld's amendment to Eng. Com. Sub. for House Bill 3017)

**REMARKS OF
HONORABLE
JACK DAVID WOODRUM**

Tuesday, April 8, 2025

SENATOR WOODRUM: Thank you, Mr. President.

I'd just like to rise in support of the gentleman's amendment.

In a time when election integrity is at the height of everyone's mind given the past couple

of election cycles, I think it's important that we do everything we can to ensure voter confidence.

And I urge support.

Thank you, Mr. President.

Compliance Audits of Tabulating Equipment

(Adoption of Senator Weld's amendment to Eng. Com. Sub. for House Bill 3017)

**REMARKS OF
HONORABLE
PATRICIA PUERTAS RUCKER**

Tuesday, April 8, 2025

SENATOR RUCKER: Thank you, Mr. President.

So, this bill, which is about doing compliance audits of tabulating equipment, was run out of the Committee on Government Organization without any changes or amendment, which was the specific desire of the sponsor of the legislation. And therefore, I must respectfully disagree or not support this amendment.

I do feel that, although many things in this amendment are fine, it does not belong in what this bill is trying to do. And although we do have, you know, further things we would like to do to ensure that folks feel confidence in their system, this is not the way to do it.

I urge rejection of the amendment.

Compliance Audits of Tabulating Equipment

(Adoption of Senator Weld's amendment to Eng. Com. Sub. for House Bill 3017)

**REMARKS OF
HONORABLE
TOM WILLIS**

Tuesday, April 8, 2025

SENATOR WILLIS: Thank you, Mr. President.

This is not a simple amendment of one or two lines or even one or two paragraphs. This is a six-page cut and paste of a bill that was in Rules Committee that we had agreed needed more study because of the vast repercussions at stake. And this unilateral move to cut and paste that bill from Rules into this House Bill, frankly, I find disrespectful to leadership.

This bill is deficient on a number of . . . for a number of reasons.

It essentially tries to establish Rules of Civil Procedure for various types of investigations. But the rules are deficient.

The definitions are hazy at best.

And while we do live in a time when we need to be careful about election integrity, we also live in a time where we need to be extremely careful about the potential weaponization of government and overreach of bureaucratic agencies.

Once again, we're all friends with the current Secretary of State and his office, but we need to, as a legislative body, think not just about the next four years, but about the next 40 years. And the decisions that we make now in this body will empower potential future Secretary of States. So we need to be very, very careful about how we do that.

This bill, for instance, could land somebody in jail for up to 10 years. I don't think that's something you just throw into a second amendment without in-depth discussion. It could result in a fine for someone up to \$10,000. Ten years in jail, \$10,000. Do you know this bill well enough to vote on that considering you might deprive a West Virginian of their liberty for 10 years? I don't think I do. I think this merits more study.

This bill refers to the State Election Commission on several different points. I have no idea if they've been consulted, if they would agree to the terms of the bill. In some sections it gives them five days to respond or they lose the ability to manage the process and the power reverts back to the Secretary of State's office.

There's some due process issues in this bill. There's not a requirement that a defendant or a

respondent receive a copy of the complaint in this bill.

And, under the previous law, the Secretary of State's office had to resolve a complaint within 90 days. This bill removes that completely. And so, as far as I know, there's no timeline on how long a Secretary of State could investigate.

There's no clear limitation on the number of interrogatories. There's a number set at 25, but there's not a restriction on subparts, which there is in Federal Rules of Civil Procedure for just that reason.

And it allows for unlimited subpoenas and depositions.

This is a very dangerous bill. There's a reason this bill was in Rules. And it's not wise to bring it out of Rules and try to cram it in on second reading without thorough further study.

For those reasons, Mr. President, I speak in opposition to this amendment.

Compliance Audits of Tabulating Equipment

(Adoption of Senator Weld's amendment to Eng. Com. Sub. for House Bill 3017)

REMARKS OF HONORABLE JOEY GARCIA AND HONORABLE TOM WILLIS

Tuesday, April 8, 2025

SENATOR GARCIA: Thank you, Mr. President.

Would the Junior Senator from the Fifteenth yield?

MR. PRESIDENT: Senator yield?

SENATOR WILLIS: Yes.

MR. PRESIDENT: Senator does yield.

SENATOR GARCIA: Thank you, sir.

Just . . . I want to make sure I'm clear on your main point and the point you started out with.

A six, or maybe let's say an eight, page strike and insert that has little to do with the underlying title of the bill that's in front of us, you wouldn't support something like that consistently, right?

SENATOR WILLIS: In this case, I don't support it.

SENATOR GARCIA: I mean that was a pretty general statement that you made right there at the beginning. So, again, I just want to make sure—it seemed like it was pretty clear to me—but if there's, you know, a six-page, or maybe there's an eight-page, maybe there will be an eight-page strike and insert that we see in the coming days, and it has nothing to do with the bill, you wouldn't support that, would you?

SENATOR WILLIS: I don't support this strike-insert that we're talking about right now.

I'm not sure your conversation is germane to this bill.

SENATOR GARCIA: Well, there are a lot of things . . . a lot of things might not be germane to this bill.

SENATOR WILLIS: It seems to me like you're talking about other bills. I'm talking about this bill.

SENATOR GARCIA: Okay.

Well . . . and one more question, too. So this bill . . . you said the amendment that was in Rules, which means that we had the opportunity to discuss the bill in committee, it went through first reading, people read it. It was on second reading and then it went to Rules. Am I correct on that?

SENATOR WILLIS: It went to Rules. But as far as I know, the final discussion sit down on this bill has not occurred.

SENATOR GARCIA: Am I not correct—I hear a lot about caucusing—the final discussion happens on this floor? Am I not correct?

SENATOR WILLIS: Well . . .

SENATOR GARCIA: The final discussion for whether we pass a bill doesn't happen behind

closed doors, it happens on the floor of the West Virginia Senate.

SENATOR WILLIS: It happens on the floor, that's correct. But usually we have a chance to in committee, or in Rules, in this situation in Rules Committee, we have a chance for everyone to get together and thoroughly go through the bill, weigh the pros and cons. And that gives us more time, more in-depth review than sometimes we can have on the floor when we can have witnesses come, agencies, agency participants, come and that sort of thing. So that's what I'm talking about.

SENATOR GARCIA: And that happened in this case?

Thank you, sir.

Thank you, Mr. President.

Compliance Audits of Tabulating Equipment

(Adoption of Senator Weld's amendment to Eng. Com. Sub. for House Bill 3017)

**REMARKS OF
HONORABLE
MICHAEL A. WOELFEL
AND
HONORABLE
TOM WILLIS**

Tuesday, April 8, 2025

SENATOR WOELFEL: The same senator yield?

MR. PRESIDENT: Senator yield? Senator does yield.

SENATOR WILLIS: Yes.

SENATOR WOELFEL: So, you're on the Rules Committee because . . . You're on the Rules Committee, right?

SENATOR WILLIS: I am not on the Rules Committee as far as I know.

SENATOR WOELFEL: You just said we have these discussions in Rules Committee. You're not on that committee, are you?

SENATOR WILLIS: I'm not on the committee. No.

SENATOR WOELFEL: Was that . . . Explain to me why you were talking about what happens in the Rules Committee if you're not on the committee?

SENATOR WILLIS: As far as I understand from members of the Rules Committee, this bill has not been thoroughly discussed and vetted.

SENATOR WOELFEL: Have you been to every Rules Committee meeting?

SENATOR WILLIS: Well, I've talked to the . . . I've talked to members about this specific bill.

SENATOR WOELFEL: Senator, you're going to stand up until you say yes or no. Have you ever been to a Rules Committee meeting? I know you've been there once.

SENATOR WILLIS: Well, senator, I'm talking about this bill again.

SENATOR WOELFEL: Yeah.

SENATOR WILLIS: And I've had conversations about this bill.

SENATOR WOELFEL: You have?

SENATOR WILLIS: Yes.

SENATOR WOELFEL: I think your argument—and I want this in the appendix of the journal if somebody will put it there—you oppose this bill because it doesn't put a restriction on the subparts of the numbers of interrogatory somebody can ask, is that right? That is what you're saying . . .

SENATOR WILLIS: That's not right. No.

SENATOR WOELFEL: No, you said that. Yes, you did.

SENATOR WILLIS: You asked me a question, let me answer.

I think I gave about 20 reasons why the bill was deficient. That was one of many.

SENATOR WOELFEL: Sir, just . . .

SENATOR WILLIS: Correct?

SENATOR WOELFEL: You said that.

SENATOR WILLIS: How many . . .

SENATOR WOELFEL: Come on, admit it, please.

SENATOR WILLIS: How many . . .

SENATOR WOELFEL: You're the master at not answering a question.

SENATOR WILLIS: Was that the only . . .

SENATOR WOELFEL: You said that.

MR. PRESIDENT: To the members . . .

SENATOR WOELFEL: You said it.

SENATOR WILLIS: Was that the only reason I gave?

MR. PRESIDENT: Point of order. Point of order. This is a question and answer session.

SENATOR WOELFEL: Yeah.

MR. PRESIDENT: One person asks the question. One person answers the question. That's the way this works.

SENATOR WOELFEL: Thank you, Mr. President.

Did you say that or not? Yes or no.

SENATOR WILLIS: As part of my comprehensive response, that was one of the factors I listed. Yes.

Compliance Audits of Tabulating Equipment

(Adoption of Senator Weld's amendment to Eng. Com. Sub. for House Bill 3017)

REMARKS OF HONORABLE MICHAEL A. WOELFEL

Tuesday, April 8, 2025

SENATOR WOELFEL: Speak to the bill?

MR. PRESIDENT: Speak to the bill.

SENATOR WOELFEL: Thank you, Mr. President.

First of all, that's ludicrous. What is disrespectful to you, Mr. President, is to let some petty grievance from your caucus spill out onto this Senate floor when we're talking about a bill that has to do with the voting rights and voting integrity. Now, this is ridiculous. We're too far into the session to let . . .

You guys won the election. Let's just let that go.

This is . . . it's been ruled germane by the chair.

I urge passage.

Compliance Audits of Tabulating Equipment

(Adoption of Senator Weld's amendment to Eng. Com. Sub. for House Bill 3017)

REMARKS OF HONORABLE RYAN W. WELD

Tuesday, April 8, 2025

SENATOR WELD: Thank you, Mr. President.

I always enjoy a lively debate on the Senate floor.

Let's understand what we're talking about here, ladies and gentlemen. We are talking about the process to get to a grand jury. We are talking about the beginning of the process to getting indicted if you had committed a violation of our state election laws.

The State Election Commission or the Secretary of State does not just decide, "I'm going to throw that guy in jail." They institute an investigation as to whether or not a violation of our state election laws has occurred and then refer that matter to a county prosecutor who may or may not decide to indict the case and then prosecute it. So there are a lot of steps between here and someone getting put in jail . . . or in a penitentiary for 10 years. A lot of steps. A system of checks and balances, if you will.

This is not a cut and paste of Senate Bill 489 (*Relating to election law violation complaints and procedures*). It is not. Let me repeat that. It is not a copy and paste of Senate Bill 489.

I heard objections to Senate Bill 489. It's requiring the Attorney General to do something. It's requiring a county prosecutor to do something. This does not do that, ladies and gentlemen. There's a lot of "mays" that have been turned out from what were once "shalls". So this is not a cut and paste.

We talk all the time about the integrity of our elections and ensuring that the integrity of our elections must take place. I just read yesterday where our Secretary of State, there were two people in Cabell County who were indicted—or they might have been prosecuted—for violation of election law for a false affidavit that they signed stating that they lived in one magisterial district but, in fact, lived in another. And so, if you want to continue to catch these kinds of people and refer them to a county prosecutor, a bill like this would go a long way in making sure that that happens, giving our Secretary of State the authority that is necessary to conduct investigations, both formal and informal.

There's nothing in here that all of a sudden makes it happen just like that, that someone's now in jail. This is the beginning of that process.

Ladies and gentlemen, I would urge adoption of the amendment, and I request the yeas and the nays.

Thank you, Mr. President.

Designating April 9, 2025, as Cyberbullying Awareness and Prevention Day

(Adoption of Senate Resolution 48)

**REMARKS OF
HONORABLE
GLENN D. JEFFRIES**

Wednesday, April 9, 2025

SENATOR JEFFRIES: Thank you, Mr. President.

Members of this chamber, during this legislative session we have voted on many bills, many bills, some routine, others impactful. But today, I rise not just as a legislator, but with a heavy heart to speak for the countless children whose voices have never been heard.

This resolution before us today is more than words on paper. It represents real lives, real pain, unimaginable loss. But we ask ourselves, why? Why in this day and age are we still losing our children to something that is as preventable as bullying? Why? Every one of us, Mr. President, likely knows someone, whether a family, a friend, a constituent . . . You may have held the hand of a grieving parent, embraced a sibling, stood at the funeral of a child taken far too soon. These stories are not distant. They are ours. They are real. And they are devastating.

I ask each of you today to look inward. So many of our young people see no way forward. They cannot envision tomorrow because today is just too painful.

This resolution gives a voice to the pain. It speaks for the moms and dads, the grandparents, the siblings, the aunts, the uncles, the cousins, best friends, every one that has been left behind in the wake of senseless tragedies like this.

No legislation that we pass today can undo what has been done. None. We cannot bring those precious lives back, but we can honor them. We can listen to their silent cries. We can bring awareness to the silent suffering. Bullying is real. It is real today, more today than I've ever seen, and so is the heartbreaking truth that some of our children feel the only way to escape is to leave this world, which is so sad.

Mr. President, I'm certain all of us . . . we have heard from teachers across the state that this is an epidemic. We've heard from parents, we've heard from grandparents, it's an epidemic.

Today, social media, our phones, everything that we have creates issues if not used in the right way.

Mr. President, I leave these words with, especially for the young people that are listening, if you see something, say something. Don't be silent.

Mr. President, I now ask for every member in this chamber . . . and in the gallery we have the parents, the ROTC, for Timothy Fields . . . if they would all stand, and if the members in this chamber would stand for a moment of silence.

MR. PRESIDENT: Members, guests, please stand . . . you may be seated.

SENATOR JEFFRIES: Mr. President, let us remember the powerful legacy of those who give the gift of life, as Timothy did.

He was an athlete, an ROTC member, Nitro High School, whose life ended way too soon.

But those generosity live on for those that he saved. Timothy's heart was given to a 16-year-old boy, his left lung to a 67-year-old lady, his liver to a 30-year-old lady, his right kidney to a four-year-old girl, his left kidney to a 51-year-old. He has given life since his passing.

But, Mr. President, let us stand in our commitment that no parent should ever, ever have to endure this type of unbearable pain. And I'm asking that this resolution be a turning point and let it be a challenge for us that we can do something to stop this type of epidemic.

Mr. President, thank you. Thank you for enduring. And thank those young kids and their parents that are here.

And I ask for yeas and nays.

**REMARKS OF
HONORABLE
LAURA WAKIM CHAPMAN**

Thursday, April 10, 2025

SENATOR CHAPMAN: Thank you, Mr. President.

Make no mistake, big pharma and big medicine aren't influencing our policies . . . they are buying them. They're buying them through radio ads, newspaper ads, and TV ads. They're

buying them by spending millions to get their candidates elected.

I have heard flippant and untrue comments that we have done nothing this session. I take great offense to that. Just because the media hasn't reported on those bills doesn't mean that we aren't doing anything. In fact, under your leadership, we passed out of the Senate some amazing bills, including common sense reforms to our failing health care system. Those measures failed over, and over, and over. Not because those reforms are a bad idea, but rather because those reforms eat into big medicine's profit structure.

I quickly learned the sheer amount of money that is at stake in our current health care system. Hospital consolidations and acquisitions are keeping the people of West Virginia in the dark ages for health care. Through those monopolies, the health care profits have almost tripled. However, those profits have not helped West Virginians.

Collectively, our non-profit hospitals in West Virginia have brought in approximately \$11.5 billion in revenue in 2023 per ProPublica.org. The CEOs of non-profit hospitals bring in anywhere from \$1.2 to \$3.5 million salaries per year. That is roughly \$299,000 per month. The average West Virginian makes between \$22,000 and \$55,000 per year.

Non-profits enjoy legal benefits because they are not supposed to generate a profit, but rather pursue a public benefit. I don't know about you, Mr. President, but I don't see much of the benefit to our public. We have the worst health outcomes in this state. West Virginians have limited access and we pay astronomical costs. How many of our constituents have to wait weeks to just see their doctor?

Even a simple bill to allow a person to go to the pharmacy to obtain medicine for a testable disease was gutted to the point of being irrelevant.

The hospital transparency bill was killed.

Those are just some of the bills that would have helped our citizens.

I was so hopeful as Senate Health Chair to be able to bring meaningful relief to those struggling to pay for either food on their table or their life-saving prescriptions. I was hopeful to make health care less costly to our citizens. I was

hopeful to have health care more accessible to our citizens.

Now, to the reason why the vaccine bill was pulled, big medicine didn't want the bill and successfully killed it. It's as simple as that.

There was a lot of misinformation out there about this bill. In every single version of this bill, the mandates remained. If the bill had passed, children enrolling in school would still be mandated to have vaccinations, all 37 doses of them. The bill, as written, would have simply allowed for meaningful medical exemptions and permit a very tight religious exemption, just like 45 other states.

I showed this map months ago. It still remains true. Massachusetts, Connecticut, New York, Maine, and California, we're in with them.

Those states have already looked at these issues and determined that exemptions were safe and effective for public health. The fear-mongering is unjustified because the surrounding states have these exemptions and still achieve herd immunity numbers per the CDC.

The religious exemption would have been required to be notarized, and the parent would have been required to view evidence-based materials about vaccinations prior to being eligible for the exemption.

I also hate to break it to you, Mr. President, but there are already unvaccinated individuals in our schools. We don't require staff or teachers to prove that they are vaccinated, nor do we check the vaccination status of children from surrounding states—that all provide for a religious exemption, by the way—when they play sports with our children. These unvaccinated children exist and live in our state now. They are at our state fairs, in our Walmarts, and on our playgrounds.

There's a lot of misinformation that I just jammed a bill into an unrelated bill. However, I did check with our parliamentarian about germaneness prior to me ruling the vaccine bill germane. The Alpha Gal bill speaks about our public health systems. Under West Virginia Code §16-1-1 *et seq.*, which specifically states disease, injury, and disability is part of our public health systems.

Make no mistake, this issue's not going away. And I'm not going to give up. There are more

like me in the Legislature who are not going to give up on this issue. We want our children to receive an education. We want our . . . we want religious liberty, and we want our young families to remain in the greatest state of the nation. We fight for the children of West Virginia, not big health care's bottom line.

Let it be known to the people of West Virginia that there are good people fighting for you every day.

Thank you, Mr. President.

REMARKS OF
HONORABLE
PATRICIA PUERTAS RUCKER

Friday, April 11, 2025

SENATOR RUCKER: Thank you, Mr. President.

Ladies and gentlemen of the Senate, I rise today to honor and recognize the extraordinary public service of Charles Town's mayor, Bob Trainor, a good friend of mine, someone who, after two decades of unwavering leadership and dedication, has recently retired.

Mayor Trainor has been more than just an elected official. He has been a steward of progress, a voice for the people, and a tireless advocate for the town he so proudly served. Under his leadership, we've seen local infrastructure revitalized, small businesses supported, and a renewed sense of pride in the community.

Mayor Trainor played a crucial role in the work that this Legislature did to move Charles Town's Police Department into the Municipal Police/Fire [sic] Retirement System.

His door was always open and his heart was always in the right place. Though the mayor may be stepping away from office, his legacy will continue to shape the town that he loved.

Today, we flew our state flag over the capitol to honor Mayor Bob Trainor. And on behalf of this chamber and the people of West Virginia, we thank him for his service and wish him all the best in his next chapter.

Thank you, Mr. President.

Certified Microgrid Program

*(Passage of Eng. Com. Sub. for
House Bill 2014)*

**REMARKS OF
HONORABLE
BEN QUEEN**

Friday, April 11, 2025

SENATOR QUEEN: Thank you, Mr. President.

I think this bill is more about tax, more than tax formulas, economic zones. It's about positioning West Virginia to lead America into the future of energy.

I represent a district that generates some of the most powerful energy in the world. We're home to the Harrison County Power Station. We're home to one of the most robust natural gas industries in the country, employing thousands of West Virginians.

Power generation is not just part of our economy, it is our economy. And this bill gives us the tools to grow it. For the first time, we're creating a policy framework that welcomes new energy development and attracts the next generation of technology . . . data centers, AI infrastructure, and computing power that demands real electricity and real reliability. That's West Virginia's moment. This bill tells the country, if you want to build energy, build here. If you want to power the future, come to West Virginia.

But this also speaks something a little bit more personal to me. I'm part of a generation that far too often is told to leave, to go find opportunity somewhere else. But I can tell you what young people want. We want more jobs with purpose. We want to build, we want to stay close to our family, and we want to work on things that matter.

And this bill brings those jobs here. Let me name off a few. We're talking about data center engineers running the backbone of the internet, grid technicians managing real-time power flows, cybersecurity analysts protecting critical

digital infrastructure for the entire world, turbine and substation operators working on multi-billion-dollar systems, AI hardware techs, linemen, HVACs, engineers, and plant operators all playing a part. These are not just jobs, they're careers, Mr. President. They represent the future of work in America, and West Virginians can lead that future.

Businesses want two things, certainty and a chance to compete. This bill delivers both. We're cutting red tape, streamlining investment, and letting developers know if you want to build here in West Virginia, we're ready. That kind of clarity is rare, and it gives us a major edge over other states.

When we talk about energy and data, it's easy to get caught up in megawatts and market terms, but for me, this is about something simpler. It's about giving a reason for West Virginians to stay. It's about creating the kind of jobs that let young people build a life here, not somewhere else. It's about helping families feel like there's a future in their hometowns, not just in some far-off cities. Mr. President, this bill does that. It connects our energy backbone to tomorrow's economy. It sends a clear message: West Virginia is not keeping up, we're stepping out front.

This isn't about energy policy, it's about generational opportunity.

Let's move forward with confidence, and let's show the rest of the country that our best chapters are still being written.

Mr. President, I urge passage of House Bill 2014.

**REMARKS OF
HONORABLE
BRIAN HELTON**

Friday, April 11, 2025

SENATOR HELTON: Thank you, Mr. President.

You know, growing up here in West Virginia, I was always taught that values matter. And we've seen across our nation when those values go away that chaos ensues. We always have to do the right thing regardless of whether it's popular or it enriches us.

You know, I consider it the honor of a lifetime every morning as I walk towards the capitol and see that golden dome to come in here and serve the people of West Virginia. And I'm really happy to serve alongside a group of talented and very dedicated people on this team.

You know, we've accomplished a lot this session together. We've done things in this body that haven't been done before. A few examples of that:

We voted this year to give our parents religious freedoms. In this body, we allowed them to participate with 45 other states who do that. You know, I believe parents should make the choice about their children and not the government, particularly when it comes to what goes in their bodies and the bodies of their children.

This session, we also prohibited sexual orientation and gender identity being pushed on our children in our public schools. We passed a bill to stop liberal city ordinances from misgendering our children while blocking the parents' rights to intervene in that counseling.

We banned chemical abortions, a horrific act that was going on in our state. We passed to ban that here in this body. And that was a very important vote.

We passed the Joel Archer Substance Use Disorder Program to give families a last chance, one last chance, for those that were addicted to recover. And we passed it again tonight.

We passed a pay increase for Birth-to-Three workers who hadn't had a pay increase in over 21 years. We gave them a 25 percent pay increase.

We were pro-life this session. We passed the Mothers and Babies Program, which allowed these centers that are so vital across our state to spend that money in a way that truly benefits mothers and babies in our state.

We've done a lot this session and I'm very proud to be a part of this team. We passed out of this body the most comprehensive laws for substance use disorder by requiring an integrated care model. We accomplished all these things that previously haven't been done.

We passed Lauren's Law, today, passed the House, which cracks down on hardened criminals who deal death here in West Virginia

and target our citizens with a lethal weapon of mass destruction, fentanyl.

We passed a whistleblower fund to call out the mistreatment of those in recovery.

We've all worked really hard and it came to fruition tonight thanks to our Economic Development Chair, our Governor, and this body, along with the House . . . We've worked hard all session on quite possibly the largest, most comprehensive economic development program in the history of our state with our data center microgrid bill.

During this session we've established multiple economic growth districts across the state, areas that need economic development. We focused on that and we've accomplished that.

We've passed universal licensing this session, which gives us a free market. It allows our folks more access. It allows businesses to participate, particularly small businesses who a lot of times get overlooked in this process, to participate in our state. Through that we also gave more medical access at a lower cost. And I know we had to debate that and there was a lot of opposition to that free market process, but we were able to get that accomplished.

You know, I've been working with our Economic Development Director on individual business opportunities in my area and I know many of you have as well, so I think we've proven this session that we can accomplish a heck of a lot of things that West Virginians care about, including driving their future and driving economic opportunity. And I'm looking forward to doing a lot more of that with this group.

You know, quite honestly, I'm really glad that we've moved away from some of these other economic development opportunities that are green new deal opportunities, where we've spent millions of dollars to build green buses that, by the way, cost \$375,000 each, when we can buy a good old Blue Bird diesel bus for \$125 [sic]. Twenty million dollars. I'm glad we're not going to do deals in the future that include buses with GreenMotors [sic], okay. Again, \$6 million for a company that's now liquidated their assets and moved out of West Virginia. That was our hard taxpayer dollars.

We can't look and afford to invest in hundreds of millions of dollars into research and development companies that focus on green

projects that are unproven and unproduced. Hundreds of millions of dollars that could have went to small businesses across our state.

Our largest employers in West Virginia are our small businesses. That's what drives our economy. Continuing to overlook that is a huge mistake. And so I'm glad this session, we've done both of those things. We focused on the big deals that are going to make a huge difference in our state, and I'm really encouraging our body to focus our economic development on these small businesses, and let's continue to create incentives that really drive and grow that businesses.

You know what? The citizens of West Virginia expect us to do the right things here. They hold us accountable, and we must hold each other accountable as well. The people who sent me here to represent them want me to defend faith, family, and freedom.

Mr. President, I want to thank you for allowing me to do my job this session. Thank you for your transparency and your leadership. You've led this Senate with common-sense solutions grounded in conservative values. And I appreciate that so much.

Right now, more than ever, we need leaders in our state government who understand and share our West Virginia values, and also who recognize that those values are worth defending, because to me that's what makes West Virginia such an amazing place to live.

Mr. President, your office is now used for the people and for our members. You have no allegiances, no special interest groups. You're not beholden to anyone other than West Virginians. You've run one of the most successful Senate in many years, and the results show that, as we highlighted tonight. I'm so thankful to serve here.

Thank you guys for welcoming me in as a freshman into this group. It's truly been an honor. It's truly been a pleasure. I'm looking forward to serving with everyone here for many more years to come.

Thank you, Mr. President.

**Requesting federal government
study waterway restoration to mitigate
existing and future flooding**

(Adoption of Senate Resolution 50)

**REMARKS OF
HONORABLE
RUIPE PHILLIPS**

Saturday, April 12, 2025

SENATOR PHILLIPS: Mr. President, first of all I want to say thank you for you and the chamber allowing me to do this today.

I think enough's enough. I think every corner . . . north, south, east, west of this state . . . has been affected over the many years in the past of some flooding. I know Mingo County, McDowell County has been hit hard here lately. I know southern West Virginia, in a little over two months, or less than two months, has been hit twice with flooding.

Mr. President, I'm encouraging every one of us to make a copy of this resolution and send a letter with it onto D.C. asking the President, asking our federal delegation to engage, get the Corps of Engineers . . . we have to do something to clean our streams up. This is nothing more than stream restoration. And Mr. President, I think West Virginia deserves it and the country deserves it.

We could be saving a lot of money if FEMA didn't have to come in every year, every other year, and fix things. We got the manpower, we got the equipment, at least in southern West Virginia. And I think southern West Virginians would go up north and help too.

But, Mr. President, I'm encouraging everybody to vote on this and let's get this up to D.C.

Thank you very much.

**Requesting federal government
study waterway restoration to mitigate
existing and future flooding**

(Adoption of Senate Resolution 50)

**REMARKS OF
HONORABLE
CHRISTOPHER A. ROSE**

Saturday, April 12, 2025

SENATOR ROSE: Thank you, Mr. President.

I rise in full support of this resolution presented to us from the Senator from Logan.

I grew up in McDowell County and I'm very aware of how easy it is . . . and the flooding that occurred down there and the devastation that Logan, McDowell, Mingo, and so many southern counties have seen over the last couple of months. And recently, Wetzel and Marshall County has been impacted as well.

And I also agree with the Senator from Logan that we have all this money to invest in infrastructure and things. And one of the things we can invest in is preventing these floods from happening in the first place. There's this old saying called the true definition of insanity is trying the same thing over and over and expecting a different result when we could stop them from happening in the first place.

So, I also take up his task of everyone printing this off, making a copy, heck, even make two of them, so we can stop all this flooding every time, every year over and over.

Thank you, Mr. President.

**Requesting federal government
study waterway restoration to mitigate
existing and future flooding**

(Adoption of Senate Resolution 50)

**REMARKS OF
HONORABLE
CRAIG A. HART**

Saturday, April 12, 2025

SENATOR HART: Thank you, Mr. President.

Folks, this isn't just a property issue, this is a life issue. Please, get a hold of your representatives, let's push this issue. We need to save people's lives and their properties. But we're pro-life, let's show the public we care.

**Requesting federal government
study waterway restoration to mitigate
existing and future flooding**

(Adoption of Senate Resolution 50)

**REMARKS OF
HONORABLE
JACK DAVID WOODRUM**

Saturday, April 12, 2025

SENATOR WOODRUM: Thank you, Mr. President.

I also stand in support of the gentleman's resolution.

There's a tremendous amount of infrastructure that's also lost with this localized flooding. I've toured areas where all the sewer lines had been eroded away, the water lines have been eroded away, stream banks under houses and churches . . . And the state and local government certainly doesn't have the resources and the ability to go in and put these streams back into their banks.

It creates an untenable situation. You have people from . . . In these narrow watersheds, we have a lot of rain come down and it takes years to get these things fixed, if you're able to get them fixed at all. And, you're generally prohibited from doing it yourself. So if you stick a piece of equipment in there to try to fix a creek in behind your house, you're most likely going to get fined for doing so.

So the assistance from the federal government to the state and local governments would be very much appreciated and very much needed.

Thank you, Mr. President.

**Requesting federal government
study waterway restoration to mitigate
existing and future flooding**

(Adoption of Senate Resolution 50)

**REMARKS OF
HONORABLE
GLENN D. JEFFRIES**

Saturday, April 12, 2025

SENATOR JEFFRIES: Thank you, Mr. President.

I strongly support the gentleman's resolution. 2016 was one of the worst floods that . . . I've worked in three floods before, but 2016 was probably the worst one that I had been involved with. Kanawha County, Clay County . . . spent three months every day working in those areas. Every day, sitting with people, talking with them, crying with them. They had lost everything. And . . . driving around and looking and seeing a lot of our streams that are full of debris, and the restrictions that they have to be able to get into the streams to be able to clean them up, I believe needs to be taken care of from the federal level so that the state can start mitigating those areas.

So, Mr. President, I fully support this and I'm hoping that our federal government will loosen up those restrictions where we can start taking care of our citizens in West Virginia to help mitigate, to the best that we can, for when we see these situations happen, events that happen here in this state.

Thank you, Mr. President.

Certified Microgrid Program

(Adoption of Senator Martin's motion to concur in the House of Delegates amendments to the Senate amendments)

REMARKS OF HONORABLE RUPIE PHILLIPS

Saturday, April 12, 2025

SENATOR PHILLIPS: Thank you, Mr. President. I didn't know if you saw me or not.

You know Mr. President, I'm a Holley 4-barrel kind of guy, four speed, push the clutch in, grab a gear. I like old school. But this morning, Mr. President, I asked my wife to show me how to use AI. So I typed in AI on AI, whatever, @ chat something something, and I asked the question to it, "How will microgrids affect regulated utility rates?" And, Mr. President, here's what it come up with: Potential

negative impacts on ratepayers, cost shifting if wealthier customers or large entities, corporations, universities install microgrids and reduce their grid usage. They pay less into the system. Fixed utility cost, maintenance, infrastructure generation don't go away so remaining ratepayers may bear more of the cost, especially, Mr. President, low income and smaller customers. Let me repeat that again: Especially, lower income and smaller customers. Stranded assets, utilities may face underused infrastructure, power plants, transmission lines as more load is taken off the grid.

You know, Mr. President, and I know we've put that stabilization stuff in there and there's some language in there to protect the ratepayers that if these data centers and microgrids want the, you know, any of the infrastructure put in, they have to pay for it. And that's great. But I still have to go back, especially lower income or smaller customers will have a rate increase.

Mr. President, as I have said, Mammaw can't afford it. Mammaw, Pappaw, Toby, and Edith, they can't afford it, Mr. President.

So I'm going to be a "no" vote again.

I know I was the solo "no" vote last night. But, Mr. President, I'm not going to sit here when my constituents is paying out the wazoo in their power bills.

So this is for Mammaw.

Thank you, Mr. President.

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13. Constitutional Officer Term Limit Amendment
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- 9. Eliminating tax exemption of state-owned real property
- 18. Allowing county commissions to impose amusement tax
- 67. Allowing motor vehicle racing on county or municipal roads under certain circumstances
- 113. Modifying responsibility for reimbursement of training cost of certain law-enforcement employees
- 181. Requiring payments to court-appointed attorneys be reimbursed or denied within 30 days of voucher submission
- 211. Relating to procedure for citations issued by county litter control officer
- 214. Creating homeless education coordinator in counties designated by state board as urban county
- 223. Establishing statewide health and safety fee for tourism and recreational activities by county commissions
- 236. Distributing funds to volunteer fire departments in counties with excess levy or fees
- 459. Requiring county planning commission members be state residents
- 502. Relating to counties' ability to regulate floodplains under National Flood Insurance Program guidelines
- 503. Allowing sheriffs to appoint more than one chief deputy with consent of county commission
- 532. Making ad valorem taxes on property payable only to county in which property is located
- 536. Relating to county economic opportunity development districts
- 560. Allowing counties and municipalities to limit utility scale renewable energy facilities
- 601. Relating to fees and charges for municipality-provided fire services
- 630. Relating to reporting duties of county commission regarding ambulance services
- 743. Adjusting percentage of tax retained by clerk of county commission for certain purposes
- 748. Creating Safer Communities Act
- 814. Allowing county commissions to establish fees for municipality-provided fire services
- 846. Relating to heating, ventilation, and air-condition technicians employed by State Board of Education or county boards of education
- 927. Providing county boards of education option to obtain professional or other liability insurance coverage from other insurance carriers licensed in WV

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- 503. Allowing sheriffs to appoint more than one chief deputy with consent of county commission
- 655. Providing limited immunity for mental health providers who are involved in mental hygiene checks
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- 98. Adding grievance and appellate procedures for individuals participating in DMV safety and treatment program
- 181. Requiring payments to court-appointed attorneys be reimbursed or denied within 30 days of voucher submission
- 189. Allowing for testimony of spouses in criminal case
- 247. Substance Abuse Intervention Act
- 425. Relating to partisan judge and magistrate elections
- 428. Patrolman Cassie Marie Johnson Memorial Act
- 589. Providing pay increases to members of judiciary
- 590. Clarifying conditions for pretrial release and maximum bail amount for certain defendants
- 620. Relating to time for appeal in Intermediate Court of Appeals
- 621. Authorizing digital court records
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- 623. Specifying circumstances in which senior judges and justices may be recalled to service
- 625. Relating to judges disqualifying themselves in certain instances
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- 648. Requiring courts to interpret statutes and regulations
- 655. Providing limited immunity for mental health providers who are involved in mental hygiene checks
- 703. Allowing Supreme Court of Appeals discretion to create uniform pay scales for all levels of judicial support staff
- 704. Relating to reports of circuit court proceedings
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- 7. Creating crime of desecration of deceased human body
- 14. Relating to nonferrous metal sales and transportation to secondary recycler
- 15. Requiring Department of Human Services file petition to terminate parental rights under certain circumstances
- 19. Providing civil and criminal immunity for use of force in defense of self, real and personal property
- 24. Requiring certain probationers to participate in work release program and six months in work release center
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- 58. Permitting State Tax Division investigators carry concealed weapons
- 81. Establishing criminal offense for crimes against public justice workers
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- 134. Prohibiting camping in public places
- 136. Increasing penalties and parole eligibility requirements for homicide
- 138. Enhancing penalties for fleeing officer
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150. Creating felony offense of cruelty to animals
151. Creating crime of assault on police dogs and other public safety animals
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174. Clarifying what constitutes shelter for animals exposed to cold weather
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188. Increasing penalty for voluntary manslaughter
189. Allowing for testimony of spouses in criminal case
194. Modifying parole eligibility for crime of second-degree murder
196. Lauren's Law
198. Prohibiting creation, production, distribution, or possession of artificially generated child pornography
200. Placing limitations on concealed carry permit
202. Establishing crime of sexual assault in fourth degree
212. Creating Critical Incident Review Team
219. Amending penalty of simple possession of marijuana from misdemeanor crime to civil violation
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247. Substance Abuse Intervention Act
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264. Allowing death penalty for intentionally killing law-enforcement officer or first responder in line of duty
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288. Limiting liability of employers for persons whose criminal records are expunged
293. Prohibiting distribution of pornographic material to minors
428. Patrolman Cassie Marie Johnson Memorial Act
431. Protecting minors from exposure to indecent displays of sexually explicit nature
444. Establishing 3-year mandatory prison sentence for person convicted of illegal possession of Schedule I and Schedule II drugs
445. Permitting state legislators to carry concealed handguns while on Capitol grounds
463. Creating new penalty and procedure for simple possession of certain Schedule I or II substances
469. Creating WV Constitutional Carry Act of 2025
472. Requiring transparency from Department of Human Services
475. Creating Violent Crime Prevention Act
504. Prohibiting camping in public places

- 507. Prohibiting drag shows from being performed in front of minors
- 509. Modifying criminal penalties imposed on parent, guardian, or custodian for child abuse
- 519. Adopting statewide public camping ban
- 527. Relating to assault and battery on emergency service personnel, law-enforcement officers, and correctional employees
- 528. Relating to crime of sexual abuse by parent, guardian, custodian, or person in position of trust to child
- 534. Clarifying qualifications to be licensed to administer polygraphs
- 539. Removing certain entities from list of exemptions from criminal liability relating to distribution and display of obscene matter to minor
- 541. Sentencing guidelines for fentanyl
- 551. Increasing penalty for murder in second degree
- 580. Increasing penalty for felony distribution of controlled substance classified in Schedule I or II
- 584. Lauren's Law increasing penalty for delivery of certain controlled substances
- 591. Creating Criminal Forfeiture Process Act to replace West Virginia Contraband Forfeiture Act
- 597. Eliminating restriction to carry firearm on State Capitol Complex grounds
- 598. Permitting judges to refer parents to prosecuting attorney for making certain false allegations in child custody proceedings
- 609. Relating to trespassing on premises of higher education institution
- 633. Protecting Kids from Porn Act
- 688. Providing for 4th Amendment Restoration Act
- 691. Restricting access to crime records
- 694. Protecting state and local government systems and data from foreign entities
- 721. Authorizing use of unmanned aerial vehicles to track certain mortally wounded wild animals
- 740. Establishing Stop Squatters Act
- 806. Reorganizing several provisions of bail statutes
- 808. Establishing Justice Reinvestment Task Force
- 812. Establishing, defining, and creating criminal penalties for terrorist acts and groups
- 838. Prohibiting law enforcement from placing surveillance cameras on private property
- 847. Eliminating provisions limiting number of investigators in criminal investigation division of Tax Division
- 864. Clarifying inference of criminal intent in burglary prosecution
- 893. Establishing offense of assault upon service animal
- 904. Clarifying requirements for Commissioner of Bureau for Public Health
- 928. Eliminating restriction to carry firearm in and on State Capitol Complex

DOMESTIC RELATIONS

- 165. Ensuring equal financial support to kinship parents and fictive kin
- 166. Requiring CPS to give parents written copy of their rights in certain circumstances
- 472. Requiring transparency from Department of Human Services
- 851. Creating Child Protection Investigations Reform Act

ECONOMIC DEVELOPMENT

- 132. Relating to county economic opportunity development districts
- 423. Modifying appropriation requirements of certain economic development funds
- 437. Establishing WV Coal Marketing Program
- 459. Requiring county planning commission members be state residents
- 535. Raleigh County Economic Opportunity Development District
- 536. Relating to county economic opportunity development districts
- 552. Relating to Certified Business Expansion Development Program
- 583. Establishing economic incentives for data centers to locate within state
- 600. Creating Securing Worker Privacy and Right to Know Act
- 671. Creating By-Right Housing Development Act
- 673. Defining third-party challenges to development permits
- 678. Establishing Coal Based Affordable Electricity and Economic Growth Act
- 735. Relating to development and operation of broadband within state
- 869. Creating Corridor H Advanced Energy and Economic Corridor Authority
- 894. Relating to King Coal Highway Economic Advisory Board Act
- 907. Relating to high impact development projects
- 908. Requiring Department of Economic Development to establish WV Produced or Manufactured Program
- 931. Relating to King Coal Highway Economic Advisory Board Act
- 933. Creating Small Business Protection Act

EDUCATION (HIGHER)

- 48. Creating mobile training team for school safety
- 86. Creating Unmatched Medical Graduate Advisory Council
- 108. Relating to voluntary immunization in private schools
- 118. Creating Forensic Pathology Recruitment Program
- 149. Exempting certain military veterans and their dependents from tuition
- 216. Providing medical examination transportation services for students who seek support after experiencing sexual violence
- 245. Hunger-Free Campus Act
- 424. Restoring Sanity Act
- 499. Non-Profit Athletics Act
- 566. Providing certified law-enforcement officers tuition-free education up to highest tuition rate for public higher education in WV
- 582. Permitting current campus police officers to participate in WV DNR Police Officer Retirement System
- 609. Relating to trespassing on premises of higher education institution
- 631. Relating to eligibility for WV Invests Grant Program
- 635. Limiting use of state funding under Hope Scholarship program for out-of-state private schools and providers
- 647. Authorizing higher education institutions to enter into agreements relating to student-athlete's name, image, or likeness
- 674. Creating Standardized Testing Choice Act
- 692. Relating to requirements to receive PROMISE Scholarship
- 695. Requiring higher education institutions to accept Classic Learning Test
- 825. Permitting higher education institutions enter agreements with non-profit organizations for economic development and job creation

881. Modifying authority of certain higher education entities to sell and transfer property

EDUCATION (K12)

37. Allowing certain Teachers Retirement System members to exchange unused leave for monetary compensation
41. Approving overtime pay for teachers
42. Reducing number of days required for certain educators to apply for full-time employment
47. Authorizing WVSSAC to promulgate legislative rules
48. Creating mobile training team for school safety
53. Prohibiting schools from starting earlier than 7:45 am
54. Requiring age-appropriate instruction on Holocaust in public schools
72. Requiring parental notification of school-based dispensaries of contraceptives to minors
80. Requiring moment of silence at beginning of each school day
89. Creating alternative high-risk population public charter schools
90. Providing greater access to unused buildings for public charter schools
92. Glucagon for Schools Act
94. Requiring course in public schools on human development
108. Relating to voluntary immunization in private schools
119. Stop the Bleed Act
122. Establishing minimum student enrollment for school aid formula
146. Providing for substantial deference to state school superintendent's interpretations of school laws
154. Prohibiting sexual orientation instruction in public schools
155. Establishing Summer Feeding for All Program
158. Modifying eligibility requirements for serving as member of State Board of Education
179. Granting school administrators ability to hold students back for 20 or more missed days
180. Relating to teaching and instructing world languages in public schools
187. Providing bonuses to school personnel for unused personal days
197. Limiting requirements for issuance of professional teaching certificate
199. Relating to elementary behavior intervention and safety
201. Anti-Racism Act of 2025
209. Creating WV Guardian Program
250. Providing religious exemptions to school attendance vaccine requirements
251. Requiring county boards ensure their meetings are open to public through in-person attendance and broadcast live on their websites
255. Allowing students to participate in non-school competitive activities
256. Modifying training requirements for county boards of education members
261. Reorganizing School Building Authority as School Maintenance Authority
275. Removing requirement school cooks or custodians have high school diploma or equivalent
277. Prohibiting teaching of divisive acts and critical race theory in public schools
278. Prohibiting obscene materials in or within 2,500 feet of WV schools
280. Displaying official US motto in public schools

- 282. Modifying provisions for employment of retired teachers as substitutes in areas of critical need and shortage
- 283. Expanding grade levels of personal finance course requirements needed for graduation
- 284. Relating to county board of education member orientation and compensation
- 285. Creating WV Guardian Program
- 424. Restoring Sanity Act
- 432. Requiring county boards of education adopt policies limiting use of personal cell phones and other electronic communication devices
- 434. Requiring WV Board of Education to implement wearable panic alert system in public schools
- 442. Creating WV Released Time Education Act
- 449. Permitting compressed air and rimfire shooting teams in public schools
- 450. Establishing WV Guardian Program
- 470. Creating WV Athletic Freedom Act
- 471. Creating Student-First School Funding Act
- 477. Requiring ambulance, if available, at middle school or high school football game
- 478. Repealing athletic eligibility of transfer students
- 480. Allowing licensed substitute and full-time teachers to serve as parent volunteers without additional background check
- 481. Allowing off-duty law-enforcement officers to carry concealed weapons at public schools and public school events
- 506. Relating to enhanced pay for certain teachers
- 516. Providing extra state aid to school districts for students enrolled in extremely remote schools
- 529. Relating generally to liability insurance coverage for Board of Education
- 531. Relating to offenses of assault and battery on athletic officials
- 533. Clarifying where the West Virginia Secondary Schools Activity Commission (WVSSAC) may be involved in legal action
- 545. Banning certain products from food in WV
- 547. Creating Charter Schools Startup Fund
- 548. Creating Safety and Violence Education for Students Act
- 554. Establishing Raylee's Law
- 558. Requiring computer science course prior to graduation
- 559. Requiring legal actions concerning WVSSAC to be filed in Wood or Kanawha County
- 563. Providing members of State Teachers Retirement System are absent from service while serving as officer with statewide professional teaching association
- 581. Relating to school attendance and student participation in 4-H activities
- 585. Relating to Cohen Craddock Student Athlete Safety Act
- 596. Relating to parents' Bill of Rights
- 646. Increasing non-traditional instruction days for WV teachers
- 650. Relating to full-time interventionists
- 652. Expanding cardiac arrest provisions to be applicable to elementary schools
- 659. Creating Parents' Bill of Rights
- 667. Providing for display of Ten Commandments in each classroom
- 672. Limiting student use of cell phones in K-12 classrooms

- 674. Creating Standardized Testing Choice Act
- 684. Creating Community School Funding Formula Revision Act
- 705. Allowing Board of Education to promulgate rules for submission to Legislature
- 706. Bringing Department of Education under rule-making review of Legislature
- 746. Allowing State Board of Education to delegate its Medicaid provider status to public charter schools
- 749. Relating generally to public charter schools
- 755. Establishing WV Secondary School Athletic Trainer and Career Technical Education Program Act
- 762. Creating Support for Neglected Schools Act
- 764. Creating Community School Parent Choice Act
- 765. Establishing Troops-to-Teachers Program
- 804. Relating to WV Secondary School Activities Commission Reform Act
- 819. Requiring heart health program in grades three through six
- 831. Establishing Troops-to-Teachers Program
- 843. Allowing Board of Education to prohibit individuals on sex offender registry from being on school property
- 846. Relating to heating, ventilation, and air-condition technicians employed by State Board of Education or county boards of education
- 854. Creating Academic Quality in Public Education Act
- 866. Requiring WV Board of Education to promulgate legislative rule in consultation with WV Board of Physical Therapy
- 879. Requiring public high school students submit FAFSA prior to graduation
- 889. Creating Sustaining Opportunities for Academics in Rural Schools Act
- 896. Creating moratorium on school closings and consolidation
- 897. Creating Community School Support Fund
- 906. Creating Community Schools Funding Formula Revision Act
- 911. Relating to adjunct teaching permits
- 912. Relating to student growth assessment program
- 914. Relating to testing and attendance requirements for private, parochial, and church schools
- 915. Providing at least one counselor for every 250 students in public schools and public charter schools
- 922. Streamlining and enhancing early childhood education and child care services in WV
- 926. Requiring WV Department of Education to include optional Firefighter One class as part of curriculum in grades nine through 12
- 927. Providing county boards of education option to obtain professional or other liability insurance coverage from other insurance carriers licensed in WV
- 929. Restoring Private Schools Act of 2025
- 930. Creating WV Constitutional Schools Act of 2025

ELECTIONS

- 13. Establishing residency requirements for candidates seeking nomination and election to US Congress
- 50. Requiring municipal elections to be held on same day as statewide elections

- 112. Prohibiting acceptance of illegal ballots cast in any election
- 125. Clarifying when magistrate vacancies shall be filled
- 133. Prohibiting ranked choice voting in elections
- 137. Requiring political action committee to disclose contributors' names and addresses to Secretary of State
- 139. Relating to filling of vacancies in Legislature
- 178. Imposing limit of three terms on elected public officials in state
- 210. Defining protections for election officials and election workers
- 226. Prohibiting ranked choice voting in any election held in WV
- 235. Authorizing DMV to provide images of certain individuals to Secretary of State for voter identification
- 260. Clarifying residency requirements for voter registration
- 425. Relating to partisan judge and magistrate elections
- 440. Requiring each judicial candidate to file as partisan candidate
- 483. Increasing civil penalties for failure to file required campaign finance reports
- 484. Relating to disclosures and penalties associated with use of synthetic media and artificial intelligence
- 486. Clarifying eligibility requirements to vote in WV elections
- 487. Removing ineligible voters from active voter rolls
- 488. Clarifying definition of electioneering
- 489. Relating to election law violation complaints and procedures
- 490. Prohibiting ranked-choice voting in elections in West Virginia
- 491. Relating to reporting requirements and spending thresholds for expenditures on elections
- 492. Removing outdated provisions governing political committees
- 493. Removing the amount limitations on contributions to all political committees
- 494. Expanding time frame for certain electioneering communication reporting requirements
- 495. Requiring contact information for chair of political committee
- 514. Requiring full text of proposed Constitutional amendments be included on official ballots
- 521. Requiring party affiliations be listed for all candidates
- 523. Requiring candidates for municipal offices to file campaign financial statements and financial reports
- 524. Clarifying persons permitted to be present in polling place during election period for non-voting activities
- 564. Prohibiting voters not affiliated with major political party from voting ballot of political party in primary election
- 586. Relating to requirements for filling vacancies in certain elected federal, state, and county offices
- 593. Preserving voting data from electronic voting machines
- 624. Relating to vacancies in offices of state officials
- 642. Relating to vacancies in office of magistrate
- 643. Restoring voting rights for person incarcerated for felony upon release
- 743. Adjusting percentage of tax retained by clerk of county commission for certain purposes
- 796. Establishing legal voter identification standards

- 802. Establishing system for tracking receipt and status of absentee voter ballots
- 877. Requiring resolution passed by Legislature to include language to be included on official ballots

ENERGY

- 11. Orphan Oil and Gas Well Prevention Act
- 271. Natural Resources Anti-Commandeering Act
- 438. Creating WV Intrastate Energy Use Act
- 510. Creating Stable Energy Rates Protection Act
- 678. Establishing Coal Based Affordable Electricity and Economic Growth Act
- 899. Protecting coal and gas minerals from carbon capture practices
- 941. Clarifying authority regarding dams designed by US Conservation Service
- 942. Modifying requirements for diesel-powered equipment in mines

ENVIRONMENT

- 11. Orphan Oil and Gas Well Prevention Act
- 14. Relating to nonferrous metal sales and transportation to secondary recycler
- 107. Relating to real property, tax, and registration requirements associated with carbon offset agreements
- 281. Relating to real property, tax, and registration requirements associated with carbon offset agreements
- 575. Defining community air monitoring
- 592. Relating generally to aboveground storage tanks
- 699. Protecting environment and humans from geo-engineering experiments
- 720. Requiring declaration of pooled units be filed with drilling permits
- 730. Establishing Forest Carbon Registry
- 734. Repealing section creating A. James Manchin Rehabilitation Environmental Action Plan
- 797. Relating to Public Water System Supply Commission
- 823. Clarifying and separating duties between Division of Emergency Management and DEP
- 842. Establishing Fueling Modern Life Act
- 855. Relating to incentive program to promote beverage container recycling
- 904. Clarifying requirements for Commissioner of Bureau for Public Health
- 923. Creating WV Litter Control and Environmental Cleanup Act
- 940. Relating to Water Pollution Control Act

ESTATES AND TRUSTS

- 102. Modifying form of certain deeds
- 728. Relating generally to transfer on death deed

ETHICS

- 479. Relating to forms and disclosures to Ethics Commission
- 685. Creating Non-Profit Transparency and Accountability Act
- 736. Relating to publication of registered lobbyist information

FINANCE AND ADMINISTRATION

- 22. Applying penalties for nonpayment of royalties under terms of oil and natural gas leases

- 33. Establishing Public/Private Small Business Enhancement Program
- 63. Authorizing restitution to victims of securities fraud
- 71. WV Monument and Memorial Protection Act of 2025
- 140. Clarifying when excess funds accumulated by boards are to be transferred to General Revenue Fund
- 205. Prompt Payment Act of 2025
- 208. Mountain Homes Act
- 294. Authorizing replacement of Robert C. Byrd statue with statue of George Washington
- 436. Changing percent of fees retained by Auditor
- 441. Establishing digital currency backed by gold
- 465. Creating WV Treasurer's Investment in Precious Metals and Digital Currency Act
- 485. Exempting West Virginia Secretary of State from competitive bidding process
- 500. Transferring audits of volunteer fire departments to Legislative Auditor
- 511. Increasing certain fees under Uniform Securities provisions
- 550. Relating generally to Office of State Fire Marshal
- 574. Prohibiting diversity, equity, and inclusion policies
- 587. Relating generally to government contracting
- 629. Providing increase in salary to WV Birth to Three contracted therapists and employees
- 664. Establishing First Amendment Preservation Act
- 677. Increasing fees charged by Commissioner of Securities for each offering
- 707. Providing increase in salary to WV Birth-to-Three contracted therapists and employees
- 709. Repealing provisions of code that exempt Department of Transportation, Tax Division, and Bureau of Social Services from Division of Personnel
- 731. Terminating Design Build Board
- 738. Terminating Employee Suggestion Award Board
- 741. Authorizing State Auditor to conduct fairness hearings
- 744. Repealing Central Nonprofit Coordinating Agency and Committee for Purchase of Commodities and Services from Handicapped
- 837. Eliminating WV Office of Equal Opportunity
- 861. Updating references to reflect consolidation of Information Services and Communications Division into Office of Technology
- 862. Repealing antiquated language related to Voluntary Gilding Dome Check-Off Program
- 863. Removing reference to Information Services and Communications Division
- 918. Establishing non-denominational chapel within WV State Capitol building
- 932. Combining offices of Legislative Auditor and State Auditor

GOVERNOR — BILLS REQUESTED BY

- 300. Budget Bill
- 452. Relating to executive branch reorganization
- 453. Repealing certificate of need process
- 454. Updating terms in Corporation Net Income Tax Act
- 455. Updating meaning certain terms used in WV Personal Income Tax Act
- 456. Defining "men" and "women"

- 457. Prohibiting cell phones in class
- 458. Universal Professional and Occupational Licensing Act of 2025
- 460. Relating to vaccine requirements
- 461. Establishing One Stop Shop Permitting Process
- 474. Ending diversity, equity, and inclusion programs
- 615. Eliminating accelerated tax payment requirements
- 616. Supplementary appropriation of public moneys to DHS, Medical State Share Fund
- 747. Relating to Real Estate License Act
- 756. Supplemental appropriation to DNR, Wildlife Resources
- 766. Supplemental appropriation to Department of Human Services
- 767. Supplemental appropriation to Bureau for Medical Services
- 768. Supplemental appropriation to Division of Corrections and Rehabilitation
- 769. Supplemental appropriation to Department of Administration, Office of Secretary
- 770. Supplemental appropriation to Department of Art, Culture, and History
- 771. Supplemental appropriation to State Board of Education
- 772. Decreasing appropriation to Department of Health Facilities
- 773. Adding new item of appropriation to State Board of Education
- 774. Supplemental appropriation to Department of Health, WV Birth to Three Fund
- 775. Expiring funds from WV Economic Development Authority
- 776. Creating Firearms Industry Nondiscrimination Act
- 777. Supplemental appropriation to Department of Veterans' Assistance Fund
- 778. Supplemental appropriation to Department of Human Services
- 779. Supplementing, amending, and increasing appropriation to DMV
- 780. Supplemental appropriation to Temporary Assistance for Needy Families
- 781. Decreasing appropriation to Economic Development Authority and increasing appropriation to Department of Human Services
- 782. Supplemental appropriation to Dietitians Licensure Board Fund
- 783. Supplemental appropriation to Public Defender Services
- 784. Supplemental appropriation to Division of General Services
- 785. Supplemental appropriation to Fire Commission, Fire Marshal Fees
- 786. Supplemental appropriation to State Board of Education, State Department of Education
- 788. Supplemental appropriation to Department of Human Services
- 789. Supplemental appropriation to Department of Commerce
- 791. Supplemental appropriation to Bureau of Public Health, Office of Maternal, Child, and Family Health
- 798. Exempting new hires and promoted employees within certain state agencies from classified civil service system
- 818. Power Generation and Consumption Act of 2025
- 935. Supplementing and amending appropriations to Department of Homeland Security
- 936. Supplementing and amending appropriations to Department of Arts, Culture, and History
- 937. Supplementing and amending appropriations to Department of Economic Development
- 938. Expiring funds from Department of Administration

HEALTH

6. Exempting life insurance cash value from Medicaid eligibility calculations
12. Requiring Department of Human Services to update long-term care and substance abuse treatment services in certain areas
15. Requiring Department of Human Services file petition to terminate parental rights under certain circumstances
17. Fetal Heartbeat Act
28. Requiring insurance coverage of certain genetic testing without cost sharing
29. Allowing physicians assistants to own practice
40. Requiring doula services be covered and reimbursed by Medicaid and PEIA
49. Prohibiting mandates for vaccines
69. Requiring parental notification of minors being prescribed contraceptives
74. Creating pilot program for recovery residences in Cabell County
84. Providing license for certified professional midwife
85. Prohibiting use or sale of abortifacients
87. Establishing WV Mothers and Babies Pregnancy Support Program
93. Creating E-cigarette and E-cigarette Liquid Directory
95. Allowing reimbursement for remote ultrasound procedures and fetal nonstress tests
97. WV Chemical Abortion Prohibition Act
108. Relating to voluntary immunization in private schools
110. Creating Medicaid state plan amendment to provide cost sharing for certain populations
118. Creating Forensic Pathology Recruitment Program
128. Preventing courts from ordering services at higher rate than Medicaid
129. Establishing Medicaid cost containment measures
130. Prioritizing medical services for Medicaid beneficiaries in WV be delivered within state
159. Prohibiting certain medical exams on anesthetized patients
160. Providing Medicaid coverage for postpartum health care
162. Limiting cost of prescription medications for senior citizens
163. Including certain mental health disorders in existing public health programs
164. Clarifying parent and guardian access to minor child's medical records
167. Permitting care of patient by telemedicine across state lines
169. Increasing Medicaid personal needs allowance
176. Relating to food allergen awareness in food service establishments
177. Pharmacist Prescribing Authority Act
183. Providing tax deduction for medical payments
185. Relating to lab grown meat
203. Making syringe exchange services programs unlawful
204. Relating to opioid treatment programs
215. Relating to registration as service worker for Bureau for Children and Families
247. Substance Abuse Intervention Act
248. Increasing availability of prescription non-opioid medications
249. Expanding employment and training requirements necessary for SNAP benefits

- 250. Providing religious exemptions to school attendance vaccine requirements
- 252. Requiring coverage of home blood pressure monitoring devices for certain Medicaid recipients
- 253. Creating Chronic Weight Management Task Force
- 262. Establishing insurance provisions requiring coverage for annual breast cancer screenings
- 268. Requiring parental notification of school-based dispensaries of contraceptives to minors
- 269. Modifying requirements for public water systems or businesses having backflow preventers
- 279. Prohibiting gender transition surgeries, treatments, and therapies to minors
- 286. Granting parents access to health records of minor child
- 289. Revising requirements and process for compulsory immunization exemptions
- 296. Requiring certain insurance companies provide coverage for non-stress fetal tests
- 299. Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment
- 447. Creating Oral Health and Cancer Rights Act
- 466. Making vaccinations voluntary and not mandatory
- 467. Setting forth requirements for foster child clothing allowances
- 472. Requiring transparency from Department of Human Services
- 473. Limiting medical monitoring damages
- 482. Certified Professional Midwife Licensing and Regulation
- 508. Creating mental hygiene regions by Supreme Court of Appeals
- 515. Relating to involuntary hospitalization for substance use disorder
- 517. Requiring medical professionals to report injuries and side effects from vaccines to Bureau for Public Health
- 537. Establishing WV Mothers and Babies Pregnancy Support Program
- 542. Relating to violations and penalty for standalone methadone treatment programs or clinics
- 556. Prohibiting requirement of certain immunizations as condition of being foster parent
- 594. Relating to right to try individualized treatments
- 596. Relating to parents' Bill of Rights
- 606. Relating to notification of breast density
- 608. Removing rape and incest exception to obtain abortion in WV
- 614. Authorizing over-the-counter sale of Ivermectin
- 628. Relating to non-opioid medication
- 654. Creating WV ALS Care Services Act
- 661. Revising reimbursement and transportation process for post-mental health involuntary commitment
- 675. Requiring participant in federal 340B Drug Pricing Program to report certain data
- 679. Repealing vehicle inspection sticker requirements in WV
- 707. Providing increase in salary to WV Birth-to-Three contracted therapists and employees
- 710. Relating to the practice of teledentistry
- 718. Relating to hospital transparency

- 719. Relating to age at which minor can consent to certain medical decisions and services
- 723. Relating to clinical inpatient medical treatment centers for substance use disorder
- 726. Relating to medication-assisted treatment programs
- 732. Relating generally to medical cannabis
- 758. Creating Vape and Smoke Shop Location and Operating Requirements Act
- 759. Relating to having no requirement for immunization
- 761. Creating Joel Archer Substance Abuse Intervention Act
- 816. Prohibiting sales of unauthorized vape products
- 820. Whistleblower Protection Fund Act
- 821. Requiring child protective services workers to wear body-worn cameras
- 858. Relating to controlled substance schedules and to clean-up errors identified in code sections
- 859. Levying user fee on cigarettes to support EMS
- 860. Funding Tobacco Use Cessation Initiative
- 865. Relating to best interests of child standard
- 887. Creating intermediate conservatorship or guardianship process prior to individual being involuntarily committed
- 888. Relating to testing for individuals in drug treatment
- 900. Limiting sale of vape products in WV
- 901. Requiring Department of Health to report positive alpha-gal tests to CDC
- 904. Clarifying requirements for Commissioner of Bureau for Public Health
- 905. Requiring PEIA and other health insurance providers to provide payment parity for certain services
- 913. Relating to brain injury screening training
- 921. Creating WV Medical Services Oversight and Support Act
- 925. Creating needs-based assessment for EMS
- 939. Relating to testing for substance use disorder

HUMAN RIGHTS

- 244. Creating WV Women's Bill of Rights
- 596. Relating to parents' Bill of Rights
- 662. Clarifying racial discrimination includes discrimination based on certain hair textures and hairstyles
- 688. Providing for 4th Amendment Restoration Act
- 698. Relating to open captioning for motion pictures

HUMAN SERVICES

- 8. Providing additional sites and devices for newborn safe surrender
- 12. Requiring Department of Human Services to update long-term care and substance abuse treatment services in certain areas
- 15. Requiring Department of Human Services file petition to terminate parental rights under certain circumstances
- 44. Modifying ratio of children at family child care facilities
- 59. Requiring user photo on EBT cards
- 116. Increasing dental coverage limit for Medicaid enrollees
- 229. WV Sexual Assault Survivors' Child Protection Act
- 265. Transferring child welfare enforcement responsibilities to State Police
- 554. Establishing Raylee's Law

- 602. Relating to Closed Captioning Act
- 640. Relating to number of children who may be in family child care home
- 654. Creating WV ALS Care Services Act
- 655. Providing limited immunity for mental health providers who are involved in mental hygiene checks
- 702. Relating to payment rates for child care services
- 727. Directing study of child welfare system be conducted by independent third party
- 817. Regulating private alternative adolescent residential or outdoor programs
- 833. Excluding pharmaceutical medication from prior authorization gold card process
- 867. Prohibiting payment to residential substance use disorder treatment facilities that do not meet certain requirements
- 873. Creating WV Homelessness Rehabilitation and Public Safety Act
- 909. Relating to Medicaid reimbursement rates for certain mental health diagnostic and therapeutic procedures
- 922. Streamlining and enhancing early childhood education and child care services in WV

INSURANCE

- 6. Exempting life insurance cash value from Medicaid eligibility calculations
- 30. Requiring medically necessary care and treatment to address congenital anomalies associated with cleft lip and cleft palate
- 40. Requiring doula services be covered and reimbursed by Medicaid and PEIA
- 95. Allowing reimbursement for remote ultrasound procedures and fetal nonstress tests
- 156. Providing diagnostic and supplemental breast examinations without cost sharing
- 169. Increasing Medicaid personal needs allowance
- 262. Establishing insurance provisions requiring coverage for annual breast cancer screenings
- 272. Prohibiting discriminatory practices by financial institution or government entity against firearms manufacturers
- 292. Allowing doula services be covered by Medicaid and PEIA
- 296. Requiring certain insurance companies provide coverage for non-stress fetal tests
- 297. Requiring coverage for certain pediatric autoimmune neuropsychiatric disorders in certain circumstances
- 426. Dissolving PEIA and converting to employer-owned mutual insurance company
- 430. Relating to cost-sharing requirements for breast examinations
- 433. Relating to dental health care service plans
- 497. Preventing home insurers from canceling policy for isolated event
- 529. Relating generally to liability insurance coverage for Board of Education
- 568. Preserving privilege and confidentiality of information required as part of market conduct examination by Insurance Commissioner
- 632. Relating to surprise billing of out-of-network ambulance services
- 669. Requiring medical insurance providers to include infertility services in policies

- 717. Prohibiting surprise billing of ground emergency medical services by nonparticipating providers
- 800. Relating to insurance holding company systems
- 832. Providing for administration of cost-sharing calculations
- 852. Relating to regulation of pharmacy benefit managers
- 856. Removing certain reporting requirements to Joint Committee on Government and Finance
- 878. Reallocating portion of fire insurance and casualty premium tax to Municipal Pensions Security Fund in certain circumstances
- 927. Providing county boards of education option to obtain professional or other liability insurance coverage from other insurance carriers licensed in WV

JUVENILES

- 62. Requiring investigative and assessment services in relation to child welfare
- 69. Requiring parental notification of minors being prescribed contraceptives
- 83. Allowing Foster Care Ombudsman access to child protective records
- 164. Clarifying parent and guardian access to minor child's medical records
- 165. Ensuring equal financial support to kinship parents and fictive kin
- 166. Requiring CPS to give parents written copy of their rights in certain circumstances
- 207. Prohibiting certain funding and involvement or attendance of minors to drag shows
- 265. Transferring child welfare enforcement responsibilities to State Police
- 286. Granting parents access to health records of minor child
- 759. Relating to having no requirement for immunization
- 811. Creating Child Care Subsidy Pilot Program
- 813. Extending time frame for Department of Human Services to identify relatives and fictive kin
- 822. Requiring Department of Human Services use mobile technology to assist in certain investigations
- 886. Relating to Foster Child Bill of Rights
- 919. Requiring CPS workers to audio record all interactions during visits
- 944. Creating WV Child First Advisory Committee

LABOR

- 427. Permitting certain teenagers to work without obtaining work permit
- 555. Relating to public sector unions
- 569. Establishing certain rights for purchasers of residential improvements
- 572. Prohibiting spending authority for money used by board or commission that retains labor position
- 636. Repealing Workplace Freedom Act
- 637. Creating Paid Parental Leave Pilot Program
- 644. Reinstating prevailing wage
- 678. Establishing Coal Based Affordable Electricity and Economic Growth Act
- 686. Relating to WV commercial feed law
- 839. Requiring Division of Labor establish separate rules for residential or commercial plumbing

LEGAL GAMING

- 259. Licensing sale of charitable raffles and boards to benefit volunteer fire departments
- 498. Permitting dedicated lottery tickets for special interests
- 513. Relating generally to video lottery
- 576. Authorizing fixed odds racing in horse and dog racing
- 760. Modifying rate of tax due on licensee's adjusted gross receipts

LEGISLATURE

- 70. Clarifying process for filling vacancies in Legislature
- 139. Relating to filling of vacancies in Legislature
- 435. Updating WV Law Institute
- 445. Permitting state legislators to carry concealed handguns while on Capitol grounds
- 500. Transferring audits of volunteer fire departments to Legislative Auditor
- 745. Strengthening and reforming lobbying requirements
- 841. Prohibiting state entities from promoting or engaging in any activity related to sexual orientation or gender transitioning
- 918. Establishing non-denominational chapel within WV State Capitol building

LEGISLATURE—RULE MAKING

- 301. Department of Administration rule relating to general administration of records management and preservation
- 302. Department of Administration rule relating to retention and disposal scheduling
- 303. Department of Administration rule relating to management of records maintained by Records Center
- 304. Department of Administration rule relating to exemptions from management services provided by Fleet Management Division
- 305. Department of Administration rule relating to financial services reporting
- 306. Information Services and Communications Division rule relating to plan of operation
- 307. Information Services and Communications Division rule relating to telecommunications payments by spending units
- 308. Office of Technology rule relating to plan of operation
- 309. Office of Technology rule relating to telecommunications payments made by state spending units
- 310. Public Defender Services rule relating to payment of fees and reimbursement of expenses for court-appointed attorneys
- 311. DEP rule relating to hazardous waste management system
- 312. DEP rule relating to ambient air quality standards
- 313. DEP rule relating to standards of performance for new stationary sources
- 314. DEP rule relating to control of air pollution from hazardous waste treatment, storage, and disposal facilities
- 315. DEP rule relating to emission standards for hazardous air pollutants
- 316. DEP rule relating to requirements governing water quality standards
- 317. DEP rule relating to underground injection control
- 318. DEP rule relating to water pollution control permit fee schedules
- 319. Department of Health rule relating to public water systems

- 320. Department of Health rule relating to statewide trauma and emergency care system
- 321. Department of Health rule relating to fatality and mortality review team
- 322. Department of Health rule relating to vital statistics
- 323. Department of Health rule relating to emergency medical services
- 324. Department of Health rule relating to Primary Care Support Program
- 325. Authorizing Department of Health to promulgate legislative rules
- 326. Department of Health rule relating to growers and processors of Medical Cannabis Program
- 327. Department of Health rule relating to laboratories of Medical Cannabis Program
- 328. Department of Health rule relating to dispensaries of Medical Cannabis Program
- 329. Department of Health rule relating to Safe Harbor Letter for Medical Cannabis Program
- 330. Department of Health rule relating to critical access hospitals
- 331. Department of Human Services rule relating to Recovery Residence Certification and Accreditation Program
- 332. Department of Human Services rule relating to pilot program for drug screening of applicants for cash assistance
- 333. Office of Inspector General rule relating to hospital licensure
- 334. Office of Inspector General rule relating to behavioral health centers licensure
- 335. Governor's Committee on Crime, Delinquency, and Correction rule relating to protocol for law-enforcement response to child abuse and neglect
- 336. Authorizing Department of Homeland Security to promulgate legislative rules
- 337. Division of Protective Services rule relating to ranks and duties of officers within membership of division
- 338. State Emergency Response Commission rule relating to Emergency Planning Grant Program
- 339. State Police rule relating to cadet selection
- 340. State Police rule relating to WV State Police Career Progression System
- 341. Alcohol Beverage Control Commissioner rule relating to private club licensing
- 342. Alcohol Beverage Control Commissioner rule relating to sale of wine and hard cider
- 343. Alcohol Beverage Control Commissioner rule relating to tobacco products in vending machines
- 344. Alcohol Beverage Control Commissioner rule relating to distilleries, mini-distilleries, and micro-distilleries
- 345. Alcohol Beverage Control Commissioner rule relating to retail enforcement of select plant-based derivatives and derivative products, including hemp and kratom
- 346. Alcohol Beverage Control Commissioner rule relating to nonintoxicating beer licensing and operations procedures
- 347. Insurance Commissioner rule relating to Medicare Supplement Insurance
- 348. Lottery Commission rule relating to WV Lottery Sports Wagering Rule

- 349. Tax Department rule relating to payment of taxes by electronic funds transfer
- 350. Tax Department rule relating to alternative resolution of tax disputes
- 351. Tax Department rule relating to consumers sales and service tax and use tax
- 352. Tax Department rule relating to exchange of information pursuant to written agreement
- 353. DOH rule relating to construction and reconstruction of state roads
- 354. DOH rule relating to use of state rights-of-way and adjacent areas
- 355. DOH rule relating to transportation of hazardous wastes on roads and highways
- 356. DOH rule relating to small wireless facilities on state rights-of-way
- 357. DMV rule relating to actions affecting driving privileges
- 358. Authorizing Department of Transportation to promulgate legislative rules
- 359. DMV rule relating to handicapped placards
- 360. DMV rule relating to Safety and Treatment Program
- 361. DOH rule relating to State Vehicle Title, Registration, and Relicensing Project of 2018
- 362. Parkways Authority rule relating to supporting electronic toll collection and enforcement
- 363. Department of Agriculture rule relating to state aid for fairs and festivals
- 364. Department of Agriculture rule relating to inspection of meat and poultry
- 365. Department of Agriculture rule relating to licensing and other fees
- 366. Department of Agriculture rule relating to WV manufacture-grade milk
- 367. Department of Agriculture rule relating to employment references, employment inquiries, and background checks
- 368. Department of Agriculture rule relating to WV fish processing
- 369. Authorizing miscellaneous boards and agencies to promulgate legislative rules
- 370. Department of Agriculture rule relating to Rural Rehabilitation Program
- 371. Department of Agriculture rule relating to raw milk
- 372. Board of Architects rule relating to registration of architects
- 373. Board of Architects rule relating to fees for registration of architects
- 374. State Auditor rule relating to Local Government Purchasing Card Program
- 375. State Auditor rule relating to private trust companies
- 376. Board of Barbers and Cosmetologists rule relating to operation of certain salons and schools
- 377. Board of Barbers and Cosmetologists rule relating to schedule of fees
- 378. Board of Barbers and Cosmetologists rule relating to schedule of fines
- 379. Board of Chiropractic Examiners rule relating to consideration of prior criminal convictions in initial licensure determinations
- 380. Board of Dentistry rule relating to continuing education requirements
- 381. Board of Dentistry rule relating to mobile dental facilities and portable dental units
- 382. Election Commission rule relating to regulation of campaign finance
- 383. Board of Funeral Service Examiners rule relating to funeral director, embalmer, apprentice, courtesy card holders, and funeral establishment requirements
- 384. Massage Therapy Licensure Board rule relating to general provisions

- 385. Board of Medicine rule relating to waiver of initial licensing fees for certain applicants
- 386. Board of Occupational Therapy rule relating to fees for services rendered by board
- 387. Board of Occupational Therapy rule relating to competency standards for advanced practice by occupational therapists and occupational therapy assistants
- 388. Board of Occupational Therapy rule relating to request for waiver of licensing fees for certain individuals
- 389. Board of Occupational Therapy rule relating to consideration of prior criminal convictions in initial licensure determinations
- 390. Board of Occupational Therapy rule relating to telehealth practice requirements and definitions
- 391. Board of Osteopathic Medicine rule relating to waiver of initial licensing fees for certain applicants
- 392. Board of Pharmacy rule relating to licensure and practice of pharmacy
- 393. Board of Pharmacy rule relating to Uniform Controlled Substances Act
- 394. Board of Pharmacy rule relating to regulations governing pharmacy permits
- 395. Board of Pharmacy rule relating to application of waiver of initial licensing fees for certain individuals
- 396. Board of Examiners of Psychologists rule relating to consideration of prior criminal convictions in initial licensures and fee waivers
- 397. Real Estate Appraiser Licensing and Certification Board rule relating to requirements for licensure and certification
- 398. Real Estate Appraiser Licensing and Certification Board rule relating to renewal of licensure or certification
- 399. Real Estate Appraiser Licensing and Certification Board rule relating to requirements for registration and renewal of appraisal management companies
- 400. Real Estate Commission rule relating to licensing real estate brokers, associate brokers, and salespersons and conduct of brokerage business
- 401. Real Estate Commission rule relating to application of waiver of initial licensing fees for certain individuals
- 402. Real Estate Commission rule relating to consideration of prior criminal convictions in initial license eligibility determination
- 403. Board of Registered Nurses rule relating to requirements for registration, licensure, and professional misconduct
- 404. Board of Respiratory Care rule relating to criteria for licensure
- 405. Board of Respiratory Care rule relating to consideration of prior criminal convictions in initial licensure determinations
- 406. Board of Respiratory Care rule relating to telehealth practice requirements and definitions
- 407. Board of Sanitarians rule relating to practice of public health sanitation
- 408. Board of Examiners for Speech-Language Pathology and Audiology rule relating to speech-language pathology and audiology assistants
- 409. Hope Scholarship Board rule relating to Hope Scholarship Program
- 410. State Conservation Committee rule relating to State Conservation Committee grant program

- 411. Office of Miners' Health, Safety, and Training rule relating to certification, recertification, and training of EMT-Miners and certification of EMT-M instructors
- 412. DNR rule relating to transporting and selling wildlife parts and pelts
- 413. DNR rule relating to boating
- 414. DNR rule relating to special boating
- 415. DNR rule relating to public use of campgrounds and campsites in WV state parks, forests, and rail trails
- 416. DNR rule relating to special projects and grants for WV state parks, forests, and rail trails
- 417. DNR rule relating to prohibitions when hunting and trapping
- 418. DNR rule relating to general hunting
- 419. DNR rule relating to special waterfowl hunting
- 420. DNR rule relating to special fishing
- 421. DNR rule relating to catching and selling baitfish
- 422. DNR rule relating to falconry
- 612. Making rules and regulations of PSC subject to legislative rule-making review procedures

MAGISTRATES

- 589. Providing pay increases to members of judiciary
- 619. Authorizing judge or chief judge to fill prospective vacancy in office of magistrate
- 642. Relating to vacancies in office of magistrate
- 742. Relating generally to jurisdiction in magistrate courts

MILITARY AND VETERANS

- 4. Prohibiting compensation when assisting persons apply for VA benefits in certain circumstances
- 103. Exempting certain records from public release
- 144. Relating to Military Incentive Program
- 148. Clarifying provision of electricity on premises of US armed forces or WV National Guard does not constitute public service
- 149. Exempting certain military veterans and their dependents from tuition
- 464. Creating license plate for recipients of Medal of Valor
- 468. Establishing WV Defend the Guard Act
- 831. Establishing Troops-to-Teachers Program
- 845. Relating to National Guard Servicemember's Medical Readiness Act

MOTOR VEHICLES

- 67. Allowing motor vehicle racing on county or municipal roads under certain circumstances
- 98. Adding grievance and appellate procedures for individuals participating in DMV safety and treatment program
- 114. Requiring lending institutions to utilize DMV electronic lien system under certain circumstances
- 147. Establishing aggravated felony offense of reckless driving resulting in death
- 195. Providing reports to DMV on mental and physical disabilities for driver's license

- 233. Establishing rebate for registration fees for hybrid vehicles
- 464. Creating license plate for recipients of Medal of Valor
- 571. Mandating use of electronic lien and title system for anyone who records more than five liens in calendar year
- 573. Relating to restrictions on use or sale of motor vehicles based on power source
- 577. Clarifying prohibited practices by manufacturer, factory branch, distributor, or distributor branch when providing new motor vehicle to dealer
- 679. Repealing vehicle inspection sticker requirements in WV
- 754. Creating Outdoor Americans with Disabilities Act
- 795. Relating generally to traffic safety
- 868. Removing requirement of inspections and inspection stickers for certain motor vehicles and trailers

MUNICIPALITIES

- 46. Allowing municipalities to complete work previously requested to DOH
- 67. Allowing motor vehicle racing on county or municipal roads under certain circumstances
- 113. Modifying responsibility for reimbursement of training cost of certain law-enforcement employees
- 234. Increasing value at which municipal property must be sold through public auction
- 540. Relating to annexation by minor boundary adjustment
- 543. Clarifying oversight by Attorney General of political subdivision's hiring of private attorney under contingency fee or contract to sue
- 560. Allowing counties and municipalities to limit utility scale renewable energy facilities
- 579. Relating to Home Rule Reform
- 601. Relating to fees and charges for municipality-provided fire services
- 613. Increasing cap on audits of municipalities
- 626. Relating to qualifications of regional airport authority members
- 645. Requiring petition of qualified voters for defeated amendment to be reconsidered regarding city charters
- 814. Allowing county commissions to establish fees for municipality-provided fire services
- 870. Relating to fees imposed by municipalities

NATURAL RESOURCES

- 5. Establishing Adopt-A-Road program
- 21. Assessing wildlife impact fee on wind power projects
- 22. Applying penalties for nonpayment of royalties under terms of oil and natural gas leases
- 25. Creating WV Coal Marketing Program
- 76. Increasing WV Natural Resources Police Officer Retirement System accrued benefit for certain members
- 77. Providing all coal severance tax be provided to county that produced coal
- 141. Authorizing DNR Director to enter into certain agreements with federal agencies
- 142. Mountain Bike Responsibility Act

- 152. Providing waiver of fees for emergency responders disabled in line of duty for hunting, trapping, and fishing licenses
- 153. Exempting certain persons from hunting, trapping, and fishing license fees
- 225. Expanding powers of National Park Service law-enforcement officers
- 237. Designating certain law-enforcement officers as special Natural Resources police officers
- 271. Natural Resources Anti-Commandeering Act
- 290. Establishing requirements for wildlife rehabilitation and providing wildlife rehabilitator permit
- 429. Providing tax credit to certain honorably discharged veterans for lifetime hunting and/or fishing license
- 532. Making ad valorem taxes on property payable only to county in which property is located
- 595. Creating Mountain Bike Responsibility Act
- 627. Removing prohibition against leasing state-owned pore spaces underlying lands designated as state parks
- 711. Removing prohibition against establishing additional trail systems within state parks and state forests
- 721. Authorizing use of unmanned aerial vehicles to track certain mortally wounded wild animals
- 752. Establishing resident and nonresident wildlife viewing stamps
- 801. Creating WV Public Waterway Access Act
- 809. Modifying managed timberland certification requirements
- 920. Establishing Off-Highway Motor Vehicle Recreation Act
- 942. Modifying requirements for diesel-powered equipment in mines

PROFESSIONS AND OCCUPATIONS

- 43. Relating to administration of anesthetics
- 84. Providing license for certified professional midwife
- 115. Establishing tax credit for certain physicians who locate to practice in WV
- 263. Relating to use of criminal records as disqualification from authorization to practice particular profession
- 443. Authorizing Speech-Language Pathology and Audiology Board of Examiners to conduct criminal background checks for licensing
- 496. Removing reflexology and other energy-based work from definition of "massage therapy"
- 557. Relating to licensing by WV Board of Medicine
- 565. Relating generally to practice of optometry
- 567. Prohibiting employment termination of employee who defends themselves from attack inside workplace
- 569. Establishing certain rights for purchasers of residential improvements
- 611. Excluding workers of ski area operators from maximum hour requirements
- 661. Revising reimbursement and transportation process for post-mental health involuntary commitment
- 745. Strengthening and reforming lobbying requirements
- 810. Clarifying requirements for administration of anesthesia and chronic pain practice by certain licensed nurses
- 824. Amending procedures for regulation of scope of practice for occupations and professions

- 871. Removing persons who perform drywall services from definition of “contractor” in Contractor Licensing Act
- 883. Providing director of WV Office of Miners’ Health, Safety and Training discretion and authority in certain appointments

PUBLIC SAFETY

- 8. Providing additional sites and devices for newborn safe surrender
- 20. Requiring funding for increased costs to volunteer fire departments and EMS units
- 31. Relating to DNA data maintained for law-enforcement purposes
- 65. Relating to fire department recruitment and retention
- 81. Establishing criminal offense for crimes against public justice workers
- 88. Requiring Fire Commission promulgate standards for propane tank installation in certain homes
- 106. Authorizing Department of Homeland Security to assist with border security in Texas
- 113. Modifying responsibility for reimbursement of training cost of certain law-enforcement employees
- 120. Establishing and administering DNA identification system
- 126. WV Volunteer State Defense Guard Act
- 173. Permitting hotels and public lodging establishments to provide human trafficking awareness training for employees
- 223. Establishing statewide health and safety fee for tourism and recreational activities by county commissions
- 225. Expanding powers of National Park Service law-enforcement officers
- 243. Requiring counties to register automated external defibrillators with Office of Emergency Medical Services
- 259. Licensing sale of charitable raffles and boards to benefit volunteer fire departments
- 265. Transferring child welfare enforcement responsibilities to State Police
- 270. Declaring sale and manufacture of firearms essential business during declared emergency
- 469. Creating WV Constitutional Carry Act of 2025
- 481. Allowing off-duty law-enforcement officers to carry concealed weapons at public schools and public school events
- 507. Prohibiting drag shows from being performed in front of minors
- 544. Clarifying process of ventilation and fire suppression for limited use food preparation facilities
- 562. Relating to Uniform Child Abduction Prevention Act
- 617. Discouraging gang activity
- 661. Revising reimbursement and transportation process for post-mental health involuntary commitment
- 694. Protecting state and local government systems and data from foreign entities
- 713. Creating WV Workplace Security Act
- 812. Establishing, defining, and creating criminal penalties for terrorist acts and groups
- 823. Clarifying and separating duties between Division of Emergency Management and DEP

- 826. Modifying survivor's benefit payments on first responders for payment of funeral expenses
- 827. Updating requirements for parole hearings and notifications
- 828. Clarifying requirements for persons employed by Division of Corrections and Rehabilitation include contracted vendor staff
- 829. Modifying classes of state of preparedness declared by Governor or Legislature
- 830. Eliminating short-term loans provided to released inmates for costs related to reintegration
- 838. Prohibiting law enforcement from placing surveillance cameras on private property
- 843. Allowing Board of Education to prohibit individuals on sex offender registry from being on school property
- 849. Providing enhanced pay for State Police
- 858. Relating to controlled substance schedules and to clean-up errors identified in code sections
- 880. Relating to powers and duties of Commissioner of Division of Corrections and Rehabilitation regarding Stevens Correctional Center
- 904. Clarifying requirements for Commissioner of Bureau for Public Health
- 919. Requiring CPS workers to audio record all interactions during visits

PUBLIC SERVICE COMMISSION

- 1. Requiring utility work and road paving coordination
- 273. Preventing public water and sewer utilities from prohibiting customer from constructing, installing, or maintaining connection to public utility
- 604. Requiring Department of Human Services to notify PSC that person is eligible for discount on utility bills
- 634. Relating to distressed land net metering
- 687. Relating to authority of PSC
- 750. Eliminating appointment process for PSC commission members
- 790. Requiring quarterly reporting by certain water and wastewater utilities
- 815. Permitting access to funding for public water utilities subject to PSC's jurisdiction
- 895. Relating generally to jurisdiction of PSC
- 902. Securing WV baseload coal generation and ratepayer protection

REAL AND PERSONAL PROPERTY

- 38. Uniform Unlawful Restriction in Land Records Act
- 68. Limiting landowner liability when land is used for certain purposes
- 73. Clarifying that tenancy includes persons who reside in sober living home
- 107. Relating to real property, tax, and registration requirements associated with carbon offset agreements
- 145. Relating to real property conveyed by land installment agreement
- 168. Prohibiting rent control
- 175. Prohibiting counties from double-taxing rental properties
- 224. Authorizing Division of Forestry director to contract and manage forest land
- 234. Increasing value at which municipal property must be sold through public auction

- 257. Providing protection for property owner when someone visiting private cemetery causes damage to property
- 281. Relating to real property, tax, and registration requirements associated with carbon offset agreements
- 530. Creating the West Virginia Land Sovereignty Act
- 538. Allowing certain entities to purchase qualifying tax-delinquent properties before they are offered at public auction
- 740. Establishing Stop Squatters Act
- 805. Promoting personal agriculture
- 836. Modifying requirements for payment of property taxes by co-owners or other interested parties

RECORDS AND PAPERS

- 685. Creating Non-Profit Transparency and Accountability Act

RETIREMENT

- 35. Permitting campus police officers to participate in Deputy Sheriffs Retirement System
- 37. Allowing certain Teachers Retirement System members to exchange unused leave for monetary compensation
- 61. Providing cost-of-living adjustment for certain PERS and State Teachers Retirement System retirees
- 76. Increasing WV Natural Resources Police Officer Retirement System accrued benefit for certain members
- 100. Allowing members of State Police retirement system to use accrued leave as credit toward retirement
- 105. Updating retirement eligibility for certain sheriffs
- 172. Permitting retired teachers to substitute up to 180 days without penalty of losing retirement
- 190. Increasing retirement benefit multiplier of Deputy Sheriff Retirement System Act
- 191. Modifying retirement and disability benefits for dependents of certain State Police retirees
- 192. Updating retirement eligibility for certain sheriffs
- 258. Allowing certain Teachers Retirement System members to apply accrued annual and sick leave toward increase in retirement benefits
- 451. Enhancing retirement payout for state employees who have been drawing defined retirement benefits for at least 12 years
- 563. Providing members of State Teachers Retirement System are absent from service while serving as officer with statewide professional teaching association
- 582. Permitting current campus police officers to participate in WV DNR Police Officer Retirement System
- 623. Specifying circumstances in which senior judges and justices may be recalled to service
- 653. Relating generally to EMS retirement
- 657. Exempting WV campus police officer retirement income from personal income tax
- 712. Relating to retirement provisions of systems managed by CPRB

- 715. Relating to personally identifiable information of member, retirant, beneficiary, or alternate payee of retirement system
- 716. Relating to failure to pay required contributions and interest payments for certain retirees who transfer between retirement systems
- 872. Allowing certain contracted counsel for executive agencies to purchase years of service in PERS
- 874. Permitting current home confinement officers to participate in Emergency Medical Services Retirement System

ROADS AND TRANSPORTATION

- 5. Establishing Adopt-A-Road program
- 23. Creating Special Road Repair Fund
- 45. Relieving railroad companies of liability during parades under certain circumstances
- 46. Allowing municipalities to complete work previously requested to DOH
- 55. Requiring DOH Commissioner to develop formula for allocating road funds among districts
- 114. Requiring lending institutions to utilize DMV electronic lien system under certain circumstances
- 117. Exempting certain physicians from specified traffic laws when responding to emergencies
- 123. Permitting DOH Commissioner to realign spending within State Road Fund
- 157. Providing pay raise for state road employees
- 228. Restricting driving in left lane of multi-lane highways in WV
- 267. Extending time for renewal and restoration of commercial driver's licenses
- 274. Prohibiting parking fee for accessible parking space bearing international symbol of access
- 553. Relating to offense of driving above speed limit on controlled access highway or interstate highway
- 680. Establishing Comprehensive Highway Paving Plan
- 696. Establishing program for camera-assisted speed enforcement in active work zones on public highways
- 733. Relating to membership composition of Legislative Oversight Commission on Department of Transportation Accountability
- 792. Requiring drivers to observe same safety requirements regarding railroad crossing when on-track equipment is present
- 794. Authorizing DOH to erect warning signs
- 795. Relating generally to traffic safety
- 801. Creating WV Public Waterway Access Act
- 898. Allowing DOH to contract for snow removal on secondary roads in Monongalia and Preston counties
- 924. Creating WV Country Roads Act

RULE MAKING AUTHORITY

- 570. Requiring economic impact statements for certain legislative rules
- 599. Creating Sound Science in Regulations Act
- 891. Creating State Central Legal Advertising website

RULES

793. Creating reporting requirements for use of state-owned aircraft

SALARIES

193. Clarifying amount of deputy sheriff annual salary increase
520. Relating to locality pay
703. Allowing Supreme Court of Appeals discretion to create uniform pay scales for all levels of judicial support staff

STATE PERSONNEL

2. Designating Patriot Day as state holiday
157. Providing pay raise for state road employees
171. Requiring all state buildings provide private room for nursing or breastfeeding purposes
426. Dissolving PEIA and converting to employer-owned mutual insurance company
550. Relating generally to Office of State Fire Marshal
638. Providing cost-of-living provision for certain retirees under PERS and TRS
670. Relating to locality pay to certain Division of Highways employees
708. Providing state mine inspectors with raise
712. Relating to retirement provisions of systems managed by CPRB
715. Relating to personally identifiable information of member, retirant, beneficiary, or alternate payee of retirement system
716. Relating to failure to pay required contributions and interest payments for certain retirees who transfer between retirement systems
798. Exempting new hires and promoted employees within certain state agencies from classified civil service system
841. Prohibiting state entities from promoting or engaging in any activity related to sexual orientation or gender transitioning
849. Providing enhanced pay for State Police
872. Allowing certain contracted counsel for executive agencies to purchase years of service in PERS
874. Permitting current home confinement officers to participate in Emergency Medical Services Retirement System

TAXATION

9. Eliminating tax exemption of state-owned real property
10. Exempting certain meat processes from consumers sales and service tax
18. Allowing county commissions to impose amusement tax
26. Authorizing proceeds and application of hotel occupancy tax to municipalities and county commissions
52. Relating to exemptions from excise taxes
56. Increasing Homestead Property Tax Exemption for homeowners
57. Establishing tax on production of electricity from wind and solar sources
60. Establishing road or highway infrastructure improvement projects or coal production and processing facilities tax credit
66. Providing exemption from state severance tax for coal sold to coal-fired power plants located in WV
77. Providing all coal severance tax be provided to county that produced coal

- 78. Providing tax credit to corporations for existing employer-provided child care facilities
- 91. Requiring notice be sent to owners of record before real property can be sold due to nonpayment of taxes
- 96. Exempting ad valorem property tax on property used for divine worship, educational, and charitable purposes
- 99. Return to WV Tax Credit Act
- 104. Clarifying sheriff's compensation for collection of taxes
- 107. Relating to real property, tax, and registration requirements associated with carbon offset agreements
- 109. Creating program to reward citizens for information on drug trafficking
- 115. Establishing tax credit for certain physicians who locate to practice in WV
- 175. Prohibiting counties from double-taxing rental properties
- 217. Authorizing child or child care tax credit
- 218. Creating tax credit related to child care expenses
- 221. Authorizing child or child care tax credit
- 236. Distributing funds to volunteer fire departments in counties with excess levy or fees
- 241. Exempting high tunnels and greenhouses from personal property taxes
- 266. Clarifying wind power projects taxation
- 281. Relating to real property, tax, and registration requirements associated with carbon offset agreements
- 298. Relating to roadable aircraft on WV highways
- 429. Providing tax credit to certain honorably discharged veterans for lifetime hunting and/or fishing license
- 439. Relating to taxation of wind power projects
- 448. Creating credit against severance tax for certain infrastructure improvements
- 518. Exempting non-grantor trusts administered in state from personal income taxation
- 532. Making ad valorem taxes on property payable only to county in which property is located
- 546. Authorizing county commissions to levy additional excise tax on transferring real property to fund local economic development
- 549. Eliminating income tax on qualified tipped wages
- 603. Exempting WV campus police officer retirement income from personal income tax after specified date
- 610. Exempting overtime compensation from income tax
- 639. Creating WV Small Business Appreciation and Acknowledgement Act
- 666. Updating definition of disabled veteran taxpayer
- 668. Relating to volunteer firefighter tax credit
- 680. Establishing Comprehensive Highway Paving Plan
- 681. Providing PSC jurisdiction over internet service providers
- 697. Creating Caregiver Tax Credit Act
- 700. Relating to effects on regular levy rates when appraisal results in tax increase and public hearings
- 701. Classifying forestry equipment for levy purposes
- 722. Creating WV Short Line Railroad Modernization Act
- 724. Relating to taxation
- 725. Relating to unlawful expenditures by local fiscal bodies

- 748. Creating Safer Communities Act
- 807. Exempting automobiles 25 years or older from personal property taxes
- 809. Modifying managed timberland certification requirements
- 834. Relating to tax credit for qualified rehabilitated buildings investment
- 835. Decreasing service period for notice of tax lien sales
- 836. Modifying requirements for payment of property taxes by co-owners or other interested parties
- 840. Relating to nonresident income tax for natural resources royalty payments received from lessees
- 847. Eliminating provisions limiting number of investigators in criminal investigation division of Tax Division
- 853. Clarifying terms of registration for tax abandoned land auctions and sales held by auditor
- 857. Establishing economic incentives for data centers to locate within state
- 876. Terminating certain requirements for Tax Commissioner to submit reports, publish information, and provide notice
- 885. Creating Tax and Expenditure Limitation Act
- 892. Relating to property valuation
- 903. Relating to Tobacco Products Excise Tax Act

UNIFORM LAWS

- 32. Uniform Antitrust Pre-Merger Notification Act
- 79. Uniform Mortgage Modification Act
- 561. Relating to Uniform Special Deposits Act
- 562. Relating to Uniform Child Abduction Prevention Act

UTILITIES

- 3. Modifying permissible expenditures by Water Development Authority from Infrastructure Fund
- 34. Creating community solar pilot program
- 161. Providing water filtration equipment to residents whose water is deemed unsafe
- 476. Relating to permissible expenditures by Water Development Authority from Infrastructure Fund
- 505. Ensuring Reliable and Affordable Electricity Act
- 604. Requiring Department of Human Services to notify PSC that person is eligible for discount on utility bills
- 605. Requiring certain public or private entities that own, lease, or oversee water or electric supply utility to implement utility continuity rate credit program
- 682. Requiring electric utility meter choice
- 687. Relating to authority of PSC
- 763. Creating Public Electrical Savings Act
- 803. Relating to data centers
- 882. Relating to utilities
- 902. Securing WV baseload coal generation and ratepayer protection

WORKERS COMPENSATION

- 16. Clarifying requirements for filing occupational pneumoconiosis claims
- 651. Creating WV Black Lung Program

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2 -	By Senator Chapman: Designating Patriot Day as state holiday	68					68
3 -	By Senators Oliverio and Woodrum: Modifying permissible expenditures by Water Development Authority from Infrastructure Fund	68					68, 213
4 -	By Senators Oliverio and Tarr: Prohibiting compensation when assisting persons apply for VA benefits in certain circumstances	68					68, 357
*5 -	By Senators Maynard, Clements, and Oliverio: Establishing Adopt-A-Road program	68	340		415		69, 213, 382, 385, 397, 415
*6 -	By Senators Oliverio, Barrett, Garcia, Phillips, Queen, Woodrum, Clements, Morris, Rucker, Roberts, and Hamilton: Exempting life insurance cash value from Medicaid eligibility calculations	69	813				69, 213, 231, 260, 813
7 -	By Senators Woodrum, Deeds, Clements, and Woelfel: Creating crime of desecration of deceased human body	69					69, 213
*8 -	By Senators Thorne, Woodrum, Helton, Rucker, Rose, Deeds, Chapman, and Grady: Providing additional sites and devices for newborn safe surrender	69	267	764-768	329, 768	764	69, 213, 231, 283, 297, 314, 329, 769, 857, 1019
9 -	By Senator Smith (Mr. President): Eliminating tax exemption of state-owned real property	69					70
*10 -	By Senators Smith (Mr. President), Thorne, Hamilton, Phillips, Hart, Rucker, and Rose: Exempting certain meat processes from consumers sales and service tax	70	501, 902	962, 1000	1000	1389	70, 231, 260, 358, 421, 501, 902, 962, 1001, 1850, 2969

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
11 -	By Senator Smith (Mr. President): Orphan Oil and Gas Well Prevention Act	70					70
12 -	By Senator Smith (Mr. President): Requiring Department of Human Services to update long-term care and substance abuse treatment services in certain areas	70					71
13 -	By Senator Smith (Mr. President): Establishing residency requirements for candidates seeking nomination and election to US Congress	71					71
14 -	By Senator Smith (Mr. President): Relating to nonferrous metal sales and transportation to secondary recycler	71					73
15 -	By Senator Smith (Mr. President): Requiring Department of Human Services file petition to terminate parental rights under certain circumstances	73					73
16 -	By Senators Smith (Mr. President) and Hamilton: Clarifying requirements for filing occupational pneumoconiosis claims	73					73, 260
17 -	By Senators Smith (Mr. President), Helton, Taylor, Thorne, and Hart: Fetal Heartbeat Act	73					74, 214, 231, 298
18 -	By Senators Smith (Mr. President), Hamilton, Taylor, Woodrum, Thorne, and Woelfel: Allowing county commissions to impose amusement tax	74					74, 214, 231, 260, 385, 596
19 -	By Senators Smith (Mr. President), Woodrum, Deeds, Thorne, Hamilton, Willis, and Hart: Providing civil and criminal immunity for use of force in defense of self, real and personal property	74					74, 214, 260, 316, 1243

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*20 -	By Senators Smith (Mr. President), Woodrum, Hamilton, Morris, Willis, Rucker, and Deeds: Requiring funding for increased costs to volunteer fire departments and EMS units	74	522				74, 214, 231, 316, 523, 547
*21 -	By Senators Smith (Mr. President), Rucker, Thorne, Phillips, Hart, Willis, and Rose: Assessing wildlife impact fee on wind power projects	75	632				75, 231, 283, 299, 316, 496, 633
*22 -	By Senators Smith (Mr. President), Woelfel, and Hamilton: Applying penalties for nonpayment of royalties under terms of oil and natural gas leases	75	446	1389	535, 1390	1389	75, 316, 357-358, 495, 513, 535, 1390, 1850, 2969
23 -	By Senators Smith (Mr. President), Taylor, and Hart: Creating Special Road Repair Fund	75					76
24 -	By Senator Smith (Mr. President): Requiring certain probationers to participate in work release program and six months in work release center	76					76
25 -	By Senators Smith (Mr. President), Taylor, Phillips, and Hart: Creating WV Coal Marketing Program	76					76, 214, 283, 299
26 -	By Senators Smith (Mr. President) and Taylor: Authorizing proceeds and application of hotel occupancy tax to municipalities and county commissions	76					76, 214
27 -	By Senators Chapman and Thorne: Clarifying felony of exhibiting obscene matter to minor	76					77, 231
*28 -	By Senators Chapman, Deeds, and Garcia: Requiring insurance coverage of certain genetic testing without cost sharing	77	268				77, 268, 283

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*29 -	By Senators Takubo, Morris, and Hamilton: Allowing physicians assistants to own practice	77	362		435		77, 231, 260, 399, 418, 435
30 -	By Senators Woodrum and Deeds: Requiring medically necessary care and treatment to address congenital anomalies associated with cleft lip and cleft palate	77					78, 385
*31 -	By Senators Oliverio and Deeds: Relating to DNA data maintained for law-enforcement purposes	78	362				78, 316, 363
32 -	By Senator Oliverio: Uniform Antitrust Pre-Merger Notification Act	78					79
33 -	By Senator Oliverio: Establishing Public/Private Small Business Enhancement Program	79					79
34 -	By Senator Oliverio: Creating community solar pilot program	79					79
*35 -	By Senators Oliverio, Woelfel, Takubo, and Hamilton: Permitting campus police officers to participate in Deputy Sheriffs Retirement System	79	447, 902	2858-2890	1001, 2891	2858	80, 243, 448, 467, 902, 962, 1001, 2891, 2929, 2954
36 -	By Senators Oliverio and Clements: Clarifying requirements and compensation when assisting persons apply for VA benefits in certain circumstances	80					80, 214
**37 -	By Senators Oliverio, Grady, Phillips, Deeds, Willis, Barrett, Hamilton, and Queen: Allowing certain Teachers Retirement System members to exchange unused leave for monetary compensation	80	301, 685		797		80, 231, 283, 301, 316, 710, 731, 733, 759, 797
38 -	By Senators Oliverio and Hamilton: Uniform Unlawful Restriction in Land Records Act	80	247				80, 247, 260
39 -	By Senator Oliverio: Uniform Special Deposits Act	81					81

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
40 -	By Senator Chapman: Requiring doula services be covered and reimbursed by Medicaid and PEIA	81					81
41 -	By Senators Taylor, Woelfel, Phillips, and Helton: Approving overtime pay for teachers	81					81, 243, 283, 384
42 -	By Senator Rucker: Reducing number of days required for certain educators to apply for full-time employment	81					81
43 -	By Senators Rucker, Rose, Taylor, Willis, Hart, Roberts, Deeds, Woodrum, Azinger, Maynard, Fuller, and Bartlett: Relating to administration of anesthetics	82					82, 214, 232, 316, 442, 519, 547, 622, 710, 733
44 -	By Senator Taylor: Modifying ratio of children at family child care facilities	82					82
45 -	By Senator Taylor: Relieving railroad companies of liability during parades under certain circumstances	82					82
46 -	By Senator Taylor: Allowing municipalities to complete work previously requested to DOH	82					82
47 -	By Senator Taylor: Authorizing WVSSAC to promulgate legislative rules	82					83
48 -	By Senator Taylor: Creating mobile training team for school safety	83					83
49 -	By Senators Taylor and Thorne: Prohibiting mandates for vaccines	83					83
*50 -	By Senators Taylor, Deeds, Oliverio, Willis, Hamilton, and Rucker: Requiring municipal elections to be held on same day as statewide elections	83	340	418-419	435	1516, 2913	83, 283, 316, 358, 382, 384, 398, 418-419, 435, 1517, 2927, 2954
51 -	By Senator Taylor: Removing rape and incest exception to obtain abortion in WV	84					84, 280

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
52 -	By Senator Woodrum: Relating to exemptions from excise taxes	84					84
53 -	By Senators Oliverio and Woelfel: Prohibiting schools from starting earlier than 7:45 am	84					84, 243
*54 -	By Senators Oliverio, Woelfel, Hamilton, Woodrum, Bartlett, and Deeds: Requiring age-appropriate instruction on Holocaust in public schools	84	869	962	1001		84, 283, 316, 335, 808, 929, 962, 1002
55 -	By Senators Oliverio and Willis: Requiring DOH Commissioner to develop formula for allocating road funds among districts	84					85, 316
56 -	By Senators Oliverio and Willis: Increasing Homestead Property Tax Exemption for homeowners	85					85, 316
57 -	By Senator Phillips: Establishing tax on production of electricity from wind and solar sources	85					85
58 -	By Senators Phillips and Thorne: Permitting State Tax Division investigators carry concealed weapons	85					85
59 -	By Senator Phillips: Requiring user photo on EBT cards	86					86
60 -	By Senator Phillips: Establishing road or highway infrastructure improvement projects or coal production and processing facilities tax credit	86					86
61 -	By Senator Woelfel: Providing cost-of-living adjustment for certain PERS and State Teachers Retirement System retirees	86					87
62 -	By Senator Woelfel: Requiring investigative and assessment services in relation to child welfare	87					87
63 -	By Senator Oliverio: Authorizing restitution to victims of securities fraud	87					88

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
64 -	By Senators Phillips and Woodrum: Prohibiting financial institutions from discriminating against firearms businesses	88					88, 335
65 -	By Senators Phillips and Hamilton: Relating to fire department recruitment and retention	88					88, 260
66 -	By Senators Phillips and Hart: Providing exemption from state severance tax for coal sold to coal-fired power plants located in WV	88					89, 1106
*67 -	By Senators Maynard, Woodrum, and Deeds: Allowing motor vehicle racing on county or municipal roads under certain circumstances	89	571, 1120		1223		89, 335, 358, 572, 1120, 1180, 1224
68 -	By Senator Maynard: Limiting landowner liability when land is used for certain purposes	89					89
69 -	By Senators Maynard, Thorne, and Helton: Requiring parental notification of minors being prescribed contraceptives	89					89, 243, 283
70 -	By Senator Maynard: Clarifying process for filling vacancies in Legislature	90					90
71 -	By Senator Maynard: WV Monument and Memorial Protection Act of 2025	90					90
72 -	By Senators Maynard, Thorne, and Helton: Requiring parental notification of school-based dispensaries of contraceptives to minors	90					91
73 -	By Senator Woelfel: Clarifying that tenancy includes persons who reside in sober living home	91					91
74 -	By Senator Woelfel: Creating pilot program for recovery residences in Cabell County	91					91

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
75 -	By Senators Rucker, Barrett, Thorne, and Willis: Changing distribution of income from excess lottery fund	92	740		882	2564	92, 316, 763, 802, 837, 883, 2927, 2954
*76 -	By Senators Deeds, Woelfel, Hamilton, Oliverio, and Takubo: Increasing WV Natural Resources Police Officer Retirement System accrued benefit for certain members	92	447, 740		883		92, 243, 358, 384, 448, 467, 802, 837, 883
77 -	By Senators Phillips, Helton, and Hart: Providing all coal severance tax be provided to county that produced coal	92					92, 261, 710
78 -	By Senators Takubo and Clements: Providing tax credit to corporations for existing employer-provided child care facilities	92					93, 214
79 -	By Senator Oliverio: Uniform Mortgage Modification Act	93					93
80 -	By Senators Rucker and Thorne: Requiring moment of silence at beginning of each school day	93					93, 243
81 -	By Senator Rucker: Establishing criminal offense for crimes against public justice workers	94					94
82 -	By Senators Rucker and Woelfel: Establishing criminal penalties for abuse or neglect of incapacitated adults	94					94
*83 -	By Senators Rucker, Woelfel, Woodrum, Deeds, and Garcia: Allowing Foster Care Ombudsman access to child protective records	94	686		797		94, 244, 335, 710, 731, 759, 798
84 -	By Senator Rucker: Providing license for certified professional midwife	94					95
*85 -	By Senators Rucker, Roberts, Rose, Willis, Taylor, Helton, and Bartlett: Prohibiting use or sale of abortifacients	95	1089	1186-1188, 1224	1224		95, 317, 1083, 1160, 1180, 1188, 1225

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*86 -	By Senator Rucker: Creating Unmatched Medical Graduate Advisory Council	95	469				96, 470
87 -	By Senators Rucker and Willis: Establishing WV Mothers and Babies Pregnancy Support Program	96					96, 317
88 -	By Senator Rucker: Requiring Fire Commission promulgate standards for propane tank installation in certain homes	96					96
89 -	By Senators Rucker, Grady, Helton, Willis, and Rose: Creating alternative high-risk population public charter schools	96	975, 1195		1270		96, 232, 244, 975, 989, 1195, 1237, 1271
90 -	By Senators Rucker, Taylor, and Helton: Providing greater access to unused buildings for public charter schools	96					97, 232, 244
91 -	By Senator Rucker: Requiring notice be sent to owners of record before real property can be sold due to nonpayment of taxes	97					97
92 -	By Senators Rucker, Deeds, Roberts, and Woodrum: Glucagon for Schools Act	97	301		377		98, 317, 334, 335, 356, 378
93 -	By Senator Rucker: Creating E-cigarette and E-cigarette Liquid Directory	98					98
94 -	By Senators Rucker, Taylor, Helton, and Rose: Requiring course in public schools on human development	98					98, 214, 244, 261
95 -	By Senator Rucker: Allowing reimbursement for remote ultrasound procedures and fetal nonstress tests	99					99
96 -	By Senator Rucker: Exempting ad valorem property tax on property used for divine worship, educational, and charitable purposes	99					99
97 -	By Senators Rucker, Taylor, Rose, Thorne, Helton, and Willis: WV Chemical Abortion Prohibition Act	99					99, 214, 244, 317

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
98 -	By Senator Rucker: Adding grievance and appellate procedures for individuals participating in DMV safety and treatment program	99					100
99 -	By Senator Clements: Return to WV Tax Credit Act	100					100
100 -	By Senators Barrett, Rucker, Willis, Oliverio, Deeds, Hamilton, Takubo, Morris, and Queen: Allowing members of State Police retirement system to use accrued leave as credit toward retirement	100	341, 780		920		100, 232, 317, 342, 358, 808, 855, 890, 921
101 -	By Senators Weld and Woelfel: Imposing deadlines for autopsies and autopsy reports	101					101
*102 -	By Senator Weld: Modifying form of certain deeds	101	600	2810-2812	724, 2812	2810	101, 654, 705, 725, 2813, 2929, 2954
103 -	By Senator Weld: Exempting certain records from public release	101	319		397		101, 357, 382, 397
104 -	By Senator Weld: Clarifying sheriff's compensation for collection of taxes	101					101
105 -	By Senators Weld, Oliverio, Deeds, Willis, Hamilton, Takubo, Helton, Morris, and Queen: Updating retirement eligibility for certain sheriffs	101	341, 780		921		101, 317, 342, 358, 384, 808, 855, 890, 921
106 -	By Senators Stuart and Thorne: Authorizing Department of Homeland Security to assist with border security in Texas	101					102, 244
107 -	By Senator Tarr: Relating to real property, tax, and registration requirements associated with carbon offset agreements	102					102
108 -	By Senators Roberts and Taylor: Relating to voluntary immunization in private schools	103					103, 214
*109 -	By Senator Tarr: Creating program to reward citizens for information on drug trafficking	103	530				103, 531

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
110 -	By Senator Tarr: Creating Medicaid state plan amendment to provide cost sharing for certain populations	103					104
111 -	By Senator Woelfel: Requiring correctional facilities to provide free feminine hygiene products	104					104
112 -	By Senator Tarr: Prohibiting acceptance of illegal ballots cast in any election	104					104
113 -	By Senator Clements: Modifying responsibility for reimbursement of training cost of certain law-enforcement employees	104					104
114 -	By Senator Clements: Requiring lending institutions to utilize DMV electronic lien system under certain circumstances	104					105
115 -	By Senator Takubo: Establishing tax credit for certain physicians who locate to practice in WV	105					105
116 -	By Senators Takubo and Woelfel: Increasing dental coverage limit for Medicaid enrollees	105					105, 244
*117 -	By Senator Takubo: Exempting certain physicians from specified traffic laws when responding to emergencies	105	448		535		105, 495, 514, 535-536
118 -	By Senators Takubo and Woelfel: Creating Forensic Pathology Recruitment Program	106					106, 244
119 -	By Senators Takubo, Woelfel, and Phillips: Stop the Bleed Act	106					106, 244, 283
120 -	By Senators Takubo and Woelfel: Establishing and administering DNA identification system	106					107, 244
*121 -	By Senators Weld, Woelfel, Willis, and Deeds: Updating language and increasing penalties for indecent exposure	107	470		551		107, 244, 317, 467, 517, 538, 552

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
122 -	By Senators Clements, Grady, Deeds, and Martin: Establishing minimum student enrollment for school aid formula	107	268				107, 232, 269, 283
123 -	By Senators Clements and Jeffries: Permitting DOH Commissioner to realign spending within State Road Fund	107					107, 261
*124 -	By Senators Barrett and Deeds: Reducing statute of limitations on actions to recover on oral and written contracts	107	363		435		108, 384, 399, 419, 436
125 -	By Senator Chapman: Clarifying when magistrate vacancies shall be filled	108					108
126 -	By Senator Chapman: WV Volunteer State Defense Guard Act	108					108
127 -	By Senator Tarr: Establishing revocation of authority for spending by agency in support of challenge to WV law	108					108
*128 -	By Senators Tarr and Fuller: Preventing courts from ordering services at higher rate than Medicaid	108	813		959	2581	108, 808, 892, 925, 959, 2927, 2957
129 -	By Senator Tarr: Establishing Medicaid cost containment measures	109					109
130 -	By Senator Tarr: Prioritizing medical services for Medicaid beneficiaries in WV be delivered within state	109					109
131 -	By Senators Tarr, Willis, and Rose: Modifying prohibitions on illegal immigrants entering or residing in WV	109					109, 317, 422
132 -	By Senator Tarr: Relating to county economic opportunity development districts	109					110
133 -	By Senators Tarr and Rose: Prohibiting ranked choice voting in elections	110					110, 299

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
134 -	By Senators Tarr and Helton: Prohibiting camping in public places	110					110, 244
135 -	By Senator Tarr: Precluding Department of Agriculture from cancellation of certain leases	110					111
*136 -	By Senators Weld, Helton, Deeds, and Bartlett: Increasing penalties and parole eligibility requirements for homicide	111	286		354		111, 244, 299, 315, 317, 334, 355
137 -	By Senators Hamilton and Woelfel: Requiring political action committee to disclose contributors' names and addresses to Secretary of State	111					111, 244
*138 -	By Senators Hamilton, Deeds, and Bartlett: Enhancing penalties for fleeing officer	111	248	657-679	311, 679	657	111, 261, 281, 283, 297, 312, 679, 805, 931
*139 -	By Senators Hamilton, Woelfel, Morris, Garcia, and Bartlett: Relating to filling of vacancies in Legislature	111	248		312		112, 244, 261, 281, 283, 297, 312
140 -	By Senator Woodrum: Clarifying when excess funds accumulated by boards are to be transferred to General Revenue Fund	112					112
141 -	By Senator Woodrum: Authorizing DNR Director to enter into certain agreements with federal agencies	112					112
142 -	By Senators Woodrum and Morris: Mountain Bike Responsibility Act	112					112, 496
143 -	By Senator Weld: Relating to Uniform Controlled Substances Act	112					113
144 -	By Senators Weld and Willis: Relating to Military Incentive Program	113	320				113, 317, 320
145 -	By Senator Weld: Relating to real property conveyed by land installment agreement	113					113

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
146 -	By Senator Weld: Providing for substantial deference to state school superintendent's interpretations of school laws	113					113
147 -	By Senators Weld, Rucker, Hamilton, Deeds, and Barrett: Establishing aggravated felony offense of reckless driving resulting in death	114					114, 358, 400
148 -	By Senator Weld: Clarifying provision of electricity on premises of US armed forces or WV National Guard does not constitute public service	114					114
*149 -	By Senators Weld and Willis: Exempting certain military veterans and their dependents from tuition	114	320				114, 321, 335
150 -	By Senator Weld: Creating felony offense of cruelty to animals	114					115
*151 -	By Senators Weld, Deeds, and Hamilton: Creating crime of assault on police dogs and other public safety animals	115	269		329		115, 283, 297, 314, 329
152 -	By Senator Weld: Providing waiver of fees for emergency responders disabled in line of duty for hunting, trapping, and fishing licenses	115					115
153 -	By Senator Weld: Exempting certain persons from hunting, trapping, and fishing license fees	115					115
**154 -	By Senators Grady, Tarr, Thorne, Helton, Rucker, Willis, Roberts, Deeds, Hart, and Woodrum: Prohibiting sexual orientation instruction in public schools	116	302, 403	464, 2819-2823	511, 2823	2819	116, 232, 244, 303, 317, 335, 440, 464, 490, 511, 2823, 2929, 2967
*155 -	By Senators Woelfel, Grady, Garcia, and Deeds: Establishing Summer Feeding for All Program	116	472		552		117, 232, 467, 473, 496, 517, 538, 552
156 -	By Senator Chapman: Providing diagnostic and supplemental breast examinations without cost sharing	117					117

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
157 -	By Senator Chapman: Providing pay raise for state road employees	117					117
**158 -	By Senators Chapman and Taylor: Modifying eligibility requirements for serving as member of State Board of Education	117	303, 1121		1225	2564	117, 214, 303, 1121, 1181, 1225, 2927, 2970-2971
159 -	By Senator Chapman: Prohibiting certain medical exams on anesthetized patients	117					118
160 -	By Senator Chapman: Providing Medicaid coverage for postpartum health care	118					118
161 -	By Senator Chapman: Providing water filtration equipment to residents whose water is deemed unsafe	118					118
162 -	By Senator Chapman: Limiting cost of prescription medications for senior citizens	118					118
163 -	By Senator Chapman: Including certain mental health disorders in existing public health programs	119	392, 1195		1271		119, 392, 1195, 1237, 1272
164 -	By Senators Chapman and Willis: Clarifying parent and guardian access to minor child's medical records	119					119, 317
165 -	By Senator Chapman: Ensuring equal financial support to kinship parents and fictive kin	119					119
166 -	By Senator Chapman: Requiring CPS to give parents written copy of their rights in certain circumstances	119					119
167 -	By Senators Chapman and Willis: Permitting care of patient by telemedicine across state lines	120					120, 317
168 -	By Senator Chapman: Prohibiting rent control	120					120
*169 -	By Senator Chapman: Increasing Medicaid personal needs allowance	120	365				120, 366

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
170 -	By Senator Chapman: Stop Non-Consensual Distribution of Intimate Deep Fake Media Act	120					120
171 -	By Senator Chapman: Requiring all state buildings provide private room for nursing or breastfeeding purposes	120					121
172 -	By Senators Chapman and Helton: Permitting retired teachers to substitute up to 180 days without penalty of losing retirement	121					121
*173 -	By Senators Chapman, Woelfel, and Deeds: Permitting hotels and public lodging establishments to provide human trafficking awareness training for employees	121	271				121, 271, 283
174 -	By Senator Chapman: Clarifying what constitutes shelter for animals exposed to cold weather	121					122
175 -	By Senators Chapman and Thorne: Prohibiting counties from double- taxing rental properties	122					122
176 -	By Senator Chapman: Relating to food allergen awareness in food service establishments	122					122
177 -	By Senator Chapman: Pharmacist Prescribing Authority Act	122					122
178 -	By Senator Chapman: Imposing limit of three terms on elected public officials in state	122					123
179 -	By Senator Chapman: Granting school administrators ability to hold students back for 20 or more missed days	123					123
180 -	By Senator Chapman: Relating to teaching and instructing world languages in public schools	123					123

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
181 -	By Senator Chapman: Requiring payments to court-appointed attorneys be reimbursed or denied within 30 days of voucher submission	123					123
182 -	By Senator Chapman: Relating to EMT funding	123					123
183 -	By Senator Chapman: Providing tax deduction for medical payments	123					124
184 -	By Senator Chapman: Prohibiting pre-conviction forfeiture of someone merely accused of crime	124					124
185 -	By Senator Chapman: Relating to lab grown meat	124					124
186 -	By Senators Grady and Woelfel: Modifying witness fee and mileage rate paid by state to match federal court system	124					124
187 -	By Senator Grady: Providing bonuses to school personnel for unused personal days	124					124
188 -	By Senators Deeds and Barrett: Increasing penalty for voluntary manslaughter	124					125, 283
189 -	By Senators Deeds, Woelfel, Hamilton, Woodrum, and Takubo: Allowing for testimony of spouses in criminal case	125					125, 244, 261, 335, 384
190 -	By Senators Deeds, Woelfel, Woodrum, Rose, and Roberts: Increasing retirement benefit multiplier of Deputy Sheriff Retirement System Act	125					125, 245, 335, 384, 400
191 -	By Senators Deeds, Woodrum, Oliverio, Willis, and Hamilton: Modifying retirement and disability benefits for dependents of certain State Police retirees	125					125, 335, 561, 763
192 -	By Senators Deeds and Woodrum: Updating retirement eligibility for certain sheriffs	125					125, 335

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
193 -	By Senators Deeds and Woodrum: Clarifying amount of deputy sheriff annual salary increase	125					125, 335
194 -	By Senator Deeds: Modifying parole eligibility for crime of second-degree murder	125					125
195 -	By Senator Deeds: Providing reports to DMV on mental and physical disabilities for driver's license	125					126
*196 -	By Senators Deeds, Taylor, Woodrum, and Willis: Lauren's Law	126	471	559, 589, 2591-2612	589, 2613	2591	127, 214, 336, 496, 517, 538-539, 559, 585-586, 590, 2613, 2929, 2954
197 -	By Senators Grady and Deeds: Limiting requirements for issuance of professional teaching certificate	127	1063				127, 1063, 1098
*198 -	By Senators Grady and Deeds: Prohibiting creation, production, distribution, or possession of artificially generated child pornography	127	364	1928-1940	436, 1940	1928	127, 384, 399, 419, 436, 1940, 2918, 2954
*199 -	By Senators Grady, Thorne, Willis, and Deeds: Relating to elementary behavior intervention and safety	127	473	539-540, 553-554, 991-993	553, 993	991, 1345	127, 245, 317, 496, 517, 540, 554, 994, 1702, 2944
200 -	By Senator Tarr: Placing limitations on concealed carry permit	128					128
201 -	By Senator Tarr: Anti-Racism Act of 2025	128					128
202 -	By Senator Tarr: Establishing crime of sexual assault in fourth degree	128					128
203 -	By Senator Tarr: Making syringe exchange services programs unlawful	129					129
*204 -	By Senators Tarr and Helton: Relating to opioid treatment programs	129	532				129, 245, 532
205 -	By Senator Tarr: Prompt Payment Act of 2025	129					130

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
206 -	By Senator Tarr: Precluding Department of Agriculture from cancellation of certain leases	130					130
207 -	By Senator Tarr: Prohibiting certain funding and involvement or attendance of minors to drag shows	130					130
*208 -	By Senators Tarr and Jeffries: Mountain Homes Act	130	474				131, 467, 475
209 -	By Senators Tarr and Chapman: Creating WV Guardian Program	131					131, 214
210 -	By Senator Woelfel: Defining protections for election officials and election workers	131					132
211 -	By Senator Woelfel: Relating to procedure for citations issued by county litter control officer	132					132
212 -	By Senator Woelfel: Creating Critical Incident Review Team	132					132
213 -	By Senator Tarr: Establishing revocation of authority for spending by agency in support of challenge to WV law	132					133
214 -	By Senator Woelfel: Creating homeless education coordinator in counties designated by state board as urban county	133					133
215 -	By Senator Woelfel: Relating to registration as service worker for Bureau for Children and Families	133					133
216 -	By Senators Woelfel and Takubo: Providing medical examination transportation services for students who seek support after experiencing sexual violence	133					133, 384
217 -	By Senator Woelfel: Authorizing child or child care tax credit	133					133
218 -	By Senator Woelfel: Creating tax credit related to child care expenses	134					134

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
219 -	By Senator Woelfel: Amending penalty of simple possession of marijuana from misdemeanor crime to civil violation	134					134
*220 -	By Senator Woelfel: Authorizing child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention	134	601				134, 601, 654, 705, 726
221 -	By Senators Woelfel, Chapman, and Fuller: Authorizing child or child care tax credit	134					134, 808
222 -	By Senator Woelfel: Updating offenses of extortion and attempted extortion	135					135
223 -	By Senator Smith (Mr. President): Establishing statewide health and safety fee for tourism and recreational activities by county commissions	135					135
224 -	By Senator Woodrum: Authorizing Division of Forestry director to contract and manage forest land	135					136
*225 -	By Senator Woodrum: Expanding powers of National Park Service law-enforcement officers	136	975	2261-2265	1092, 2265	2261, 2913	136, 1015, 1047, 1092, 2266, 2929, 2965
226 -	By Senator Woodrum: Prohibiting ranked choice voting in any election held in WV	136					136
227 -	By Senator Woodrum: Authorizing Division of Forestry to administer certain exchange program	136					136
228 -	By Senators Woodrum, Clements, and Woelfel: Restricting driving in left lane of multi-lane highways in WV	136					137, 214, 283
229 -	By Senators Woodrum and Woelfel: WV Sexual Assault Survivors' Child Protection Act	137					137, 283

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
230 -	By Senators Woodrum and Woelfel: Relating to DNA collection from those convicted of crimes	137					137, 283
231 -	By Senator Woodrum: Clarifying when funds accumulated by boards may be transferred to General Revenue Fund	137					138
232 -	By Senator Woodrum: Repealing authority of Agriculture Commissioner to increase certain fees by rules or regulations	138					138
233 -	By Senator Woodrum: Establishing rebate for registration fees for hybrid vehicles	138					138
234 -	By Senators Woodrum, Deeds, and Hamilton: Increasing value at which municipal property must be sold through public auction	138	342		415		138, 358, 383, 398, 416
235 -	By Senator Woodrum: Authorizing DMV to provide images of certain individuals to Secretary of State for voter identification	138					138
236 -	By Senator Woodrum: Distributing funds to volunteer fire departments in counties with excess levy or fees	138					138
237 -	By Senator Woodrum: Designating certain law-enforcement officers as special Natural Resources police officers	139					139
238 -	By Senator Woodrum: Modifying composition of Regional Jail and Correctional Facility Authority Board	139					139
239 -	By Senators Woodrum, Rucker, Woelfel, and Garcia: Second Look Sentencing Act	139					139, 232, 283, 336
*240 -	By Senators Hamilton, Deeds, and Rucker: Updating crime of sexual extortion	139	269	680	330, 680	679	140, 261, 298, 299, 314, 330, 681, 805, 931

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*241 -	By Senators Hamilton, Rucker, and Rose: Exempting high tunnels and greenhouses from personal property taxes	140	501				140, 400, 422, 502
*242 -	By Senators Hamilton and Thorne: Equipment Right to Repair Act	140	502				140, 232, 503
243 -	By Senator Hamilton: Requiring counties to register automated external defibrillators with Office of Emergency Medical Services	140					140
244 -	By Senators Grady, Thorne, and Hamilton: Creating WV Women's Bill of Rights	140					141, 232, 284
245 -	By Senators Grady, Woelfel, and Garcia: Hunger-Free Campus Act	141					141, 245, 336
246 -	By Senators Stuart, Deeds, Hamilton, and Woodrum: Violent Crime Prevention Act	141					141, 299, 400, 561
247 -	By Senator Stuart: Substance Abuse Intervention Act	141					142
248 -	By Senator Stuart: Increasing availability of prescription non-opioid medications	142					142
249 -	By Senators Roberts and Deeds: Expanding employment and training requirements necessary for SNAP benefits	142	249, 902		1002		143, 249, 261, 902, 962, 1002
250 -	By Senator Roberts: Providing religious exemptions to school attendance vaccine requirements	143					143
251 -	By Senators Roberts and Thorne: Requiring county boards ensure their meetings are open to public through in-person attendance and broadcast live on their websites	143					143, 232
252 -	By Senators Grady and Chapman: Requiring coverage of home blood pressure monitoring devices for certain Medicaid recipients	144	976, 1195		1272		144, 976, 1195, 1237, 1243, 1270, 1272

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*253 -	By Senators Grady, Deeds, and Woelfel: Creating Chronic Weight Management Task Force	144	404				144, 405, 422
254 -	By Senator Grady: Prohibiting digital manipulation of sexually explicit content including minors	144					144
255 -	By Senators Grady, Deeds, and Helton: Allowing students to participate in non-school competitive activities	144					145, 519, 989
256 -	By Senator Grady: Modifying training requirements for county boards of education members	145					145
257 -	By Senator Grady: Providing protection for property owner when someone visiting private cemetery causes damage to property	145	503	1808-1809	586, 1809	1808	145, 546, 559, 586, 1809, 2918, 2954
258 -	By Senators Grady, Clements, Phillips, Morris, and Roberts: Allowing certain Teachers Retirement System members to apply accrued annual and sick leave toward increase in retirement benefits	145					146, 214, 284, 299, 317
259 -	By Senator Stuart: Licensing sale of charitable raffles and boards to benefit volunteer fire departments	146					146
260 -	By Senators Rucker, Rose, Willis, and Helton: Clarifying residency requirements for voter registration	146					146, 245, 336, 989
261 -	By Senators Taylor, Rucker, and Helton: Reorganizing School Building Authority as School Maintenance Authority	146					147, 763, 989
262 -	By Senators Chapman and Phillips: Establishing insurance provisions requiring coverage for annual breast cancer screenings	147					147, 284

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*263 -	By Senator Chapman: Relating to use of criminal records as disqualification from authorization to practice particular profession	147	572				148, 574
*264 -	By Senators Stuart, Thorne, Helton, Phillips, Woodrum, and Deeds: Allowing death penalty for intentionally killing law-enforcement officer or first responder in line of duty	148	523				149, 245, 261, 284, 336, 524, 547
265 -	By Senator Smith (Mr. President): Transferring child welfare enforcement responsibilities to State Police	149					149
266 -	By Senators Smith (Mr. President), Rose, and Thorne: Clarifying wind power projects taxation	149					149, 214
*267 -	By Senator Maynard: Extending time for renewal and restoration of commercial driver's licenses	149	449		536	1390	149, 495, 514, 537, 1850, 2957
268 -	By Senator Maynard: Requiring parental notification of school-based dispensaries of contraceptives to minors	150					150
*269 -	By Senators Martin and Hamilton: Modifying requirements for public water systems or businesses having backflow preventers	150	249		312		150, 261, 281, 297, 313
*270 -	By Senators Martin, Rose, Thorne, Deeds, Phillips, Rucker, Hart, Bartlett, and Morris: Declaring sale and manufacture of firearms essential business during declared emergency	150	270	1810-1816	378, 1816	1809	150, 245, 284, 298, 299, 314, 330, 355, 379, 1816, 2918, 2957
*271 -	By Senators Martin, Rose, Thorne, and Hart: Natural Resources Anti-Commandeering Act	150	574				151, 245, 575, 596
272 -	By Senators Martin, Phillips, and Hamilton: Prohibiting discriminatory practices by financial institution or government entity against firearms manufacturers	151					151, 284, 317

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
273 -	By Senator Martin: Preventing public water and sewer utilities from prohibiting customer from constructing, installing, or maintaining connection to public utility	151					152
*274 -	By Senator Martin: Prohibiting parking fee for accessible parking space bearing international symbol of access	152	741				152, 743
*275 -	By Senators Oliverio, Thorne, Rose, and Deeds: Removing requirement school cooks or custodians have high school diploma or equivalent	152	272	315, 331	330	2564, 2913	152, 232, 245, 284, 298, 314-315, 331-332, 2564-2568, 2929, 2954
276 -	By Senator Azinger: Making adult cabaret performance criminal offense in certain circumstances	152					152
277 -	By Senator Azinger: Prohibiting teaching of divisive acts and critical race theory in public schools	152					153
278 -	By Senators Azinger and Thorne: Prohibiting obscene materials in or within 2,500 feet of WV schools	153					153, 232
279 -	By Senator Azinger: Prohibiting gender transition surgeries, treatments, and therapies to minors	153					153
280 -	By Senators Azinger, Taylor, Thorne, Rose, Hart, Bartlett, Deeds, and Martin: Displaying official US motto in public schools	153	524	590-591, 613, 2613-2615	612-613, 2616	2613	153, 232, 245, 284, 547, 560, 591, 613, 2616, 2937, 2965
281 -	By Senator Tarr: Relating to real property, tax, and registration requirements associated with carbon offset agreements	153					154
*282 -	By Senators Grady, Woelfel, Deeds, and Oliverio: Modifying provisions for employment of retired teachers as substitutes in areas of critical need and shortage	154	272	1345-1354	332, 1354	1345	154, 284, 298, 315, 332-333, 1354-1355, 1702, 2944

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*283 -	By Senators Grady, Woelfel, Deeds, and Hamilton: Expanding grade levels of personal finance course requirements needed for graduation	155	272	994	333, 995	994	155, 284, 298, 315, 333-334, 995, 1207, 1255
*284 -	By Senators Grady, Deeds, and Woelfel: Relating to county board of education member orientation and compensation	155	405		490		155, 284, 422, 441, 465, 491
285 -	By Senators Woelfel and Chapman: Creating WV Guardian Program	155					156, 214
*286 -	By Senators Chapman, Rose, Thorne, Roberts, Hamilton, Rucker, Grady, Maynard, Bartlett, and Willis: Granting parents access to health records of minor child	156	273				156, 214, 261, 274, 284, 317
287 -	By Senator Azinger: Increasing protection for minors when victims of human trafficking	156					156
288 -	By Senator Tarr: Limiting liability of employers for persons whose criminal records are expunged	156					157
289 -	By Senator Rose: Revising requirements and process for compulsory immunization exemptions	157					157
290 -	By Senator Woelfel: Establishing requirements for wildlife rehabilitation and providing wildlife rehabilitator permit	157					157
291 -	By Senators Chapman and Deeds: Extending time frame for pharmacies to register from annually to biennially	158	301	681	379, 681	681	158, 317, 334, 356, 379, 682, 805
292 -	By Senators Chapman, Deeds, Oliverio, Morris, Garcia, Grady, Woodrum, and Rucker: Allowing doula services be covered by Medicaid and PEIA	158	303, 902		1002		158, 304, 317, 336, 859, 902, 963, 1003

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
293 -	By Senator Azinger: Prohibiting distribution of pornographic material to minors	158					158
294 -	By Senators Azinger, Roberts, Rose, and Taylor: Authorizing replacement of Robert C. Byrd statue with statue of George Washington	158					159, 214, 232
*295 -	By Senators Rucker, Rose, and Willis: Clarifying non-agricultural status of solar farms	159	633				159, 245, 496, 561, 634, 655
296 -	By Senator Rucker: Requiring certain insurance companies provide coverage for non-stress fetal tests	159					159
*297 -	By Senator Rucker: Requiring coverage for certain pediatric autoimmune neuropsychiatric disorders in certain circumstances	159	602				160, 603
*298 -	By Senator Clements: Relating to roadable aircraft on WV highways	160	741				160, 743
*299 -	By Senators Rose, Barrett, Rucker, Taylor, Bartlett, Thorne, Willis, and Hart: Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment	160	274, 425	512	511	2581	161, 274, 284, 317, 422, 465, 494, 513, 2927, 2967
*300 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Budget Bill	169	1357				169, 1498, 1643, 1706, 1710
301 -	By Senator Woodrum: Department of Administration rule relating to general administration of records management and preservation	170					170
302 -	By Senator Woodrum: Department of Administration rule relating to retention and disposal scheduling	170					170
303 -	By Senator Woodrum: Department of Administration rule relating to management of records maintained by Records Center	170					171

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
304 -	By Senator Woodrum: Department of Administration rule relating to exemptions from management services provided by Fleet Management Division	171					171
305 -	By Senator Woodrum: Department of Administration rule relating to financial services reporting	171					171
306 -	By Senator Woodrum: Information Services and Communications Division rule relating to plan of operation	171					171
307 -	By Senator Woodrum: Information Services and Communications Division rule relating to telecommunications payments by spending units	171					171
308 -	By Senator Woodrum: Office of Technology rule relating to plan of operation	171					172
309 -	By Senator Woodrum: Office of Technology rule relating to telecommunications payments made by state spending units	172					172
310 -	By Senator Woodrum: Public Defender Services rule relating to payment of fees and reimbursement of expenses for court-appointed attorneys	172					172
311 -	By Senator Woodrum: DEP rule relating to hazardous waste management system	172					172
312 -	By Senator Woodrum: DEP rule relating to ambient air quality standards	172					172
313 -	By Senator Woodrum: DEP rule relating to standards of performance for new stationary sources	172					173
314 -	By Senator Woodrum: DEP rule relating to control of air pollution from hazardous waste treatment, storage, and disposal facilities	173					173

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
315 -	By Senator Woodrum: DEP rule relating to emission standards for hazardous air pollutants	173					173
316 -	By Senator Woodrum: DEP rule relating to requirements governing water quality standards	173					173
317 -	By Senator Woodrum: DEP rule relating to underground injection control	173					173
318 -	By Senator Woodrum: DEP rule relating to water pollution control permit fee schedules	173					174
319 -	By Senator Woodrum: Department of Health rule relating to public water systems	174	475				174
320 -	By Senator Woodrum: Department of Health rule relating to statewide trauma and emergency care system	174	475				174
321 -	By Senator Woodrum: Department of Health rule relating to fatality and mortality review team	174	475				174
322 -	By Senator Woodrum: Department of Health rule relating to vital statistics	174	475				174
323 -	By Senator Woodrum: Department of Health rule relating to emergency medical services	174	475				175
324 -	By Senator Woodrum: Department of Health rule relating to Primary Care Support Program	175	475				175
*325 -	By Senator Woodrum: Authorizing Department of Health to promulgate legislative rules	175	475	1941-1944	554, 1944	1940, 2568	175, 517, 540, 554-555, 1945, 2929, 2962
326 -	By Senator Woodrum: Department of Health rule relating to growers and processors of Medical Cannabis Program	175	475				175

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
327 -	By Senator Woodrum: Department of Health rule relating to laboratories of Medical Cannabis Program	175	475				175
328 -	By Senator Woodrum: Department of Health rule relating to dispensaries of Medical Cannabis Program	175	475				176
329 -	By Senator Woodrum: Department of Health rule relating to Safe Harbor Letter for Medical Cannabis Program	176	475				176
330 -	By Senator Woodrum: Department of Health rule relating to critical access hospitals	176	475				176
331 -	By Senator Woodrum: Department of Human Services rule relating to Recovery Residence Certification and Accreditation Program	176	475				176
332 -	By Senator Woodrum: Department of Human Services rule relating to pilot program for drug screening of applicants for cash assistance	176	475				176
333 -	By Senator Woodrum: Office of Inspector General rule relating to hospital licensure	176	475				176
334 -	By Senator Woodrum: Office of Inspector General rule relating to behavioral health centers licensure	177	475				177
335 -	By Senator Woodrum: Governor's Committee on Crime, Delinquency, and Correction rule relating to protocol for law-enforcement response to child abuse and neglect	177	287				177
*336 -	By Senator Woodrum: Authorizing Department of Homeland Security to promulgate legislative rules	177	287		355	861	177, 315, 334, 356, 1030, 1255
337 -	By Senator Woodrum: Division of Protective Services rule relating to ranks and duties of officers within membership of division	177	287				177

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
338 -	By Senator Woodrum: State Emergency Response Commission rule relating to Emergency Planning Grant Program	177	287				178
339 -	By Senator Woodrum: State Police rule relating to cadet selection	178	287				178
340 -	By Senator Woodrum: State Police rule relating to WV State Police Career Progression System	178	287				178
341 -	By Senator Woodrum: Alcohol Beverage Control Commissioner rule relating to private club licensing	178					178
342 -	By Senator Woodrum: Alcohol Beverage Control Commissioner rule relating to sale of wine and hard cider	178					178
343 -	By Senator Woodrum: Alcohol Beverage Control Commissioner rule relating to tobacco products in vending machines	178					178
344 -	By Senator Woodrum: Alcohol Beverage Control Commissioner rule relating to distilleries, mini-distilleries, and micro-distilleries	179					179
345 -	By Senator Woodrum: Alcohol Beverage Control Commissioner rule relating to retail enforcement of select plant-based derivatives and derivative products, including hemp and kratom	179					179
346 -	By Senator Woodrum: Alcohol Beverage Control Commissioner rule relating to nonintoxicating beer licensing and operations procedures	179					179
347 -	By Senator Woodrum: Insurance Commissioner rule relating to Medicare Supplement Insurance	179					179
348 -	By Senator Woodrum: Lottery Commission rule relating to WV Lottery Sports Wagering Rule	179					180

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
349 -	By Senator Woodrum: Tax Department rule relating to payment of taxes by electronic funds transfer	180					180
350 -	By Senator Woodrum: Tax Department rule relating to alternative resolution of tax disputes	180					180
351 -	By Senator Woodrum: Tax Department rule relating to consumers sales and service tax and use tax	180					180
352 -	By Senator Woodrum: Tax Department rule relating to exchange of information pursuant to written agreement	180					180
353 -	By Senator Woodrum: DOH rule relating to construction and reconstruction of state roads	180	304				181
354 -	By Senator Woodrum: DOH rule relating to use of state rights-of-way and adjacent areas	181	304				181
355 -	By Senator Woodrum: DOH rule relating to transportation of hazardous wastes on roads and highways	181	304				181
356 -	By Senator Woodrum: DOH rule relating to small wireless facilities on state rights-of-way	181	304				181
357 -	By Senator Woodrum: DMV rule relating to actions affecting driving privileges	181	304				181
*358 -	By Senator Woodrum: Authorizing Department of Transportation to promulgate legislative rules	181	304		379	624	182, 334, 356, 380, 709, 867
359 -	By Senator Woodrum: DMV rule relating to handicapped placards	182	304				182
360 -	By Senator Woodrum: DMV rule relating to Safety and Treatment Program	182	304				182
361 -	By Senator Woodrum: DOH rule relating to State Vehicle Title, Registration, and Relicensing Project of 2018	182	304				182

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
362 -	By Senator Woodrum: Parkways Authority rule relating to supporting electronic toll collection and enforcement	182	304				182
363 -	By Senator Woodrum: Department of Agriculture rule relating to state aid for fairs and festivals	182	342				183
364 -	By Senator Woodrum: Department of Agriculture rule relating to inspection of meat and poultry	183	342				183
365 -	By Senator Woodrum: Department of Agriculture rule relating to licensing and other fees	183	342				183
366 -	By Senator Woodrum: Department of Agriculture rule relating to WV manufacture-grade milk	183	342				183
367 -	By Senator Woodrum: Department of Agriculture rule relating to employment references, employment inquiries, and background checks	183	342				183
368 -	By Senator Woodrum: Department of Agriculture rule relating to WV fish processing	183	342				184
*369 -	By Senator Woodrum: Authorizing miscellaneous boards and agencies to promulgate legislative rules	184	342	948-952, 1314-1316	416, 952, 1316	948, 1390	184, 383, 398, 416-417, 953, 1031, 1312, 1316-1317, 1850, 2965
370 -	By Senator Woodrum: Department of Agriculture rule relating to Rural Rehabilitation Program	184	342				184
371 -	By Senator Woodrum: Department of Agriculture rule relating to raw milk	184	342				184
372 -	By Senator Woodrum: Board of Architects rule relating to registration of architects	184	342				184
373 -	By Senator Woodrum: Board of Architects rule relating to fees for registration of architects	184	342				185

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
374 -	By Senator Woodrum: State Auditor rule relating to Local Government Purchasing Card Program	185	342				185
375 -	By Senator Woodrum: State Auditor rule relating to private trust companies	185	342				185
376 -	By Senator Woodrum: Board of Barbers and Cosmetologists rule relating to operation of certain salons and schools	185	342				185
377 -	By Senator Woodrum: Board of Barbers and Cosmetologists rule relating to schedule of fees	185	342				185
378 -	By Senator Woodrum: Board of Barbers and Cosmetologists rule relating to schedule of fines	185	342				186
379 -	By Senator Woodrum: Board of Chiropractic Examiners rule relating to consideration of prior criminal convictions in initial licensure determinations	186	342				186
380 -	By Senator Woodrum: Board of Dentistry rule relating to continuing education requirements	186	342				186
381 -	By Senator Woodrum: Board of Dentistry rule relating to mobile dental facilities and portable dental units	186	342				186
382 -	By Senator Woodrum: Election Commission rule relating to regulation of campaign finance	186	342				186
383 -	By Senator Woodrum: Board of Funeral Service Examiners rule relating to funeral director, embalmer, apprentice, courtesy card holders, and funeral establishment requirements	186	342				187
384 -	By Senator Woodrum: Massage Therapy Licensure Board rule relating to general provisions	187	342				187

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
385 -	By Senator Woodrum: Board of Medicine rule relating to waiver of initial licensing fees for certain applicants	187	342				187
386 -	By Senator Woodrum: Board of Occupational Therapy rule relating to fees for services rendered by board	187	342				187
387 -	By Senator Woodrum: Board of Occupational Therapy rule relating to competency standards for advanced practice by occupational therapists and occupational therapy assistants	187	342				187
388 -	By Senator Woodrum: Board of Occupational Therapy rule relating to request for waiver of licensing fees for certain individuals	187	342				188
389 -	By Senator Woodrum: Board of Occupational Therapy rule relating to consideration of prior criminal convictions in initial licensure determinations	188	342				188
390 -	By Senator Woodrum: Board of Occupational Therapy rule relating to telehealth practice requirements and definitions	188	342				188
391 -	By Senator Woodrum: Board of Osteopathic Medicine rule relating to waiver of initial licensing fees for certain applicants	188	342				188
392 -	By Senator Woodrum: Board of Pharmacy rule relating to licensure and practice of pharmacy	188	342				188
393 -	By Senator Woodrum: Board of Pharmacy rule relating to Uniform Controlled Substances Act	188	342				189
394 -	By Senator Woodrum: Board of Pharmacy rule relating to regulations governing pharmacy permits	189	342				189
395 -	By Senator Woodrum: Board of Pharmacy rule relating to application of waiver of initial licensing fees for certain individuals	189	342				189

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
396 -	By Senator Woodrum: Board of Examiners of Psychologists rule relating to consideration of prior criminal convictions in initial licensures and fee waivers	189	342				189
397 -	By Senator Woodrum: Real Estate Appraiser Licensing and Certification Board rule relating to requirements for licensure and certification	189	342				189
398 -	By Senator Woodrum: Real Estate Appraiser Licensing and Certification Board rule relating to renewal of licensure or certification	190	342				190
399 -	By Senator Woodrum: Real Estate Appraiser Licensing and Certification Board rule relating to requirements for registration and renewal of appraisal management companies	190	342				190
400 -	By Senator Woodrum: Real Estate Commission rule relating to licensing real estate brokers, associate brokers, and salespersons and conduct of brokerage business	190	342				190
401 -	By Senator Woodrum: Real Estate Commission rule relating to application of waiver of initial licensing fees for certain individuals	190	342				190
402 -	By Senator Woodrum: Real Estate Commission rule relating to consideration of prior criminal convictions in initial license eligibility determination	190	342				191
403 -	By Senator Woodrum: Board of Registered Nurses rule relating to requirements for registration, licensure, and professional misconduct	191	342				191
404 -	By Senator Woodrum: Board of Respiratory Care rule relating to criteria for licensure	191	342				191

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
405 -	By Senator Woodrum: Board of Respiratory Care rule relating to consideration of prior criminal convictions in initial licensure determinations	191	342				191
406 -	By Senator Woodrum: Board of Respiratory Care rule relating to telehealth practice requirements and definitions	191	342				191
407 -	By Senator Woodrum: Board of Sanitarians rule relating to practice of public health sanitation	191	342				192
408 -	By Senator Woodrum: Board of Examiners for Speech-Language Pathology and Audiology rule relating to speech-language pathology and audiology assistants	192	342				192
409 -	By Senator Woodrum: Hope Scholarship Board rule relating to Hope Scholarship Program	192	342				192
410 -	By Senator Woodrum: State Conservation Committee rule relating to State Conservation Committee grant program	192	342				192
411 -	By Senator Woodrum: Office of Miners' Health, Safety, and Training rule relating to certification, recertification, and training of EMT-Miners and certification of EMT-M instructors	192					193
412 -	By Senator Woodrum: DNR rule relating to transporting and selling wildlife parts and pelts	193					193
413 -	By Senator Woodrum: DNR rule relating to boating	193					193
414 -	By Senator Woodrum: DNR rule relating to special boating	193					193
415 -	By Senator Woodrum: DNR rule relating to public use of campgrounds and campsites in WV state parks, forests, and rail trails	193					193

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
416 -	By Senator Woodrum: DNR rule relating to special projects and grants for WV state parks, forests, and rail trails	193					194
417 -	By Senator Woodrum: DNR rule relating to prohibitions when hunting and trapping	194					194
418 -	By Senator Woodrum: DNR rule relating to general hunting	194					194
419 -	By Senator Woodrum: DNR rule relating to special waterfowl hunting	194					194
420 -	By Senator Woodrum: DNR rule relating to special fishing	194					194
421 -	By Senator Woodrum: DNR rule relating to catching and selling baitfish	194					195
422 -	By Senator Woodrum: DNR rule relating to falconry	195					195
423 -	By Senator Rucker: Modifying appropriation requirements of certain economic development funds	195					195
424 -	By Senators Rucker, Helton, Bartlett, Fuller, and Rose: Restoring Sanity Act	195					197, 232, 261
425 -	By Senator Maynard: Relating to partisan judge and magistrate elections	197					197
426 -	By Senator Taylor: Dissolving PEIA and converting to employer-owned mutual insurance company	197					199
*427 -	By Senators Phillips and Deeds: Permitting certain teenagers to work without obtaining work permit	199	346	2679	417, 2679	2679	199, 358, 383, 398, 417, 2680, 2929, 2954
428 -	By Senators Phillips, Bartlett, and Hamilton: Patrolman Cassie Marie Johnson Memorial Act	199					200, 232

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*429 -	By Senators Smith (Mr. President), Chapman, Bartlett, and Willis: Providing tax credit to certain honorably discharged veterans for lifetime hunting and/or fishing license	200	321				200, 232, 322, 336
*430 -	By Senators Chapman, Phillips, and Deeds: Relating to cost-sharing requirements for breast examinations	200	305				200, 284, 306, 317
431 -	By Senators Azinger and Bartlett: Protecting minors from exposure to indecent displays of sexually explicit nature	200					201, 232
432 -	By Senators Stuart, Helton, Bartlett, Hamilton, and Thorne: Requiring county boards of education adopt policies limiting use of personal cell phones and other electronic communication devices	201					201, 232
433 -	By Senators Chapman and Roberts: Relating to dental health care service plans	201					201, 261
*434 -	By Senators Grady, Bartlett, Fuller, Helton, Chapman, and Deeds: Requiring WV Board of Education to implement wearable panic alert system in public schools	201	366				202, 232, 261, 367, 384
435 -	By Senator Weld: Updating WV Law Institute	202					202
436 -	By Senator Smith (Mr. President): Changing percent of fees retained by Auditor	202					202
437 -	By Senators Rose, Phillips, and Hart: Establishing WV Coal Marketing Program	202					202, 284, 401
438 -	By Senator Rose: Creating WV Intrastate Energy Use Act	202					203

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*439 -	By Senators Rose, Thorne, Phillips, Hart, and Willis: Relating to taxation of wind power projects	203	250				203, 245, 251, 284, 496, 989
440 -	By Senators Helton, Rose, and Fuller: Requiring each judicial candidate to file as partisan candidate	203					203, 232, 245
441 -	By Senator Rucker: Establishing digital currency backed by gold	203					203
442 -	By Senator Rucker: Creating WV Released Time Education Act	203					204
*443 -	By Senator Tarr: Authorizing Speech-Language Pathology and Audiology Board of Examiners to conduct criminal background checks for licensing	204	306		380	682	204, 334, 357, 381, 805, 941
444 -	By Senators Tarr, Helton, and Phillips: Establishing 3-year mandatory prison sentence for person convicted of illegal possession of Schedule I and Schedule II drugs	204					205, 233, 284
445 -	By Senators Tarr, Thorne, Helton, Bartlett, Phillips, and Rose: Permitting state legislators to carry concealed handguns while on Capitol grounds	205					205, 233, 261, 284, 299, 316
446 -	By Senators Tarr and Oliverio: Establishing branch banks and Federal Deposit Insurance Corporation requirements	205					205
447 -	By Senators Takubo, Oliverio, Helton, Taylor, and Morris: Creating Oral Health and Cancer Rights Act	205					205, 442
*448 -	By Senator Phillips: Creating credit against severance tax for certain infrastructure improvements	205	347				206, 348
*449 -	By Senators Tarr, Grady, Bartlett, Hamilton, Phillips, Woodrum, Rose, Hart, Taylor, Morris, and Willis: Permitting compressed air and rimfire shooting teams in public schools	206	603	2258-2259	725, 2259	2258, 2568	206, 233, 261, 284, 336, 519, 622, 654, 705, 726, 2259, 2929, 2954

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*450 -	By Senators Tarr, Grady, Willis, Chapman, Deeds, and Hamilton: Establishing WV Guardian Program	206	367, 687		833		207, 233, 368, 384, 731, 733, 759, 801, 834
451 -	By Senator Tarr: Enhancing retirement payout for state employees who have been drawing defined retirement benefits for at least 12 years	207					207
452 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Relating to executive branch reorganization	207					208
453 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Repealing certificate of need process	208					209
454 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Updating terms in Corporation Net Income Tax Act	209	237				209, 238
455 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Updating meaning certain terms used in WV Personal Income Tax Act	209	238				209, 238
*456 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Defining "men" and "women"	210	364	563-564	436-437, 565	563, 598	210, 399, 419, 437, 563-565, 621, 631
457 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Prohibiting cell phones in class	210					210
*458 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Universal Professional and Occupational Licensing Act of 2025	210	477	1245	555, 1245	1244	210, 517, 540, 555, 1245, 1342, 1501
*459 -	By Senators Thorne, Helton, Hamilton, and Willis: Requiring county planning commission members be state residents	210	348	1391	418, 1391	1390	211, 233, 358, 383, 398, 418, 1392, 1850, 2955

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*460 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Relating to vaccine requirements	211	216		313		211, 242, 256-260, 281, 296-297, 313-314, 995
461 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Establishing One Stop Shop Permitting Process	211					211
*462 -	By Senator Takubo: Permitting Board of Occupational Therapy to require criminal history record checks	211	306		381	682	212, 335, 357, 382, 805
463 -	By Senators Deeds, Bartlett, and Fuller: Creating new penalty and procedure for simple possession of certain Schedule I or II substances	212					212, 233
**464 -	By Senators Morris, Deeds, Fuller, Hamilton, Helton, Weld, Woelfel, Chapman, Willis, Jeffries, and Rose: Creating license plate for recipients of Medal of Valor	217	571, 933	1817-1822	1003, 1822	1817	217, 245, 336, 572, 596, 933, 963, 989, 1004, 1822, 2918, 2955
465 -	By Senator Rose: Creating WV Treasurer's Investment in Precious Metals and Digital Currency Act	217					217
466 -	By Senators Willis, Bartlett, Rucker, and Thorne: Making vaccinations voluntary and not mandatory	217					217, 245, 261
467 -	By Senators Deeds, Woelfel, Bartlett, Rucker, and Garcia: Setting forth requirements for foster child clothing allowances	217					218, 245, 299, 336
468 -	By Senator Rose: Establishing WV Defend the Guard Act	218					218
469 -	By Senators Rose, Thorne, and Hart: Creating WV Constitutional Carry Act of 2025	218					218, 1243
*470 -	By Senators Rose, Thorne, and Helton: Creating WV Athletic Freedom Act	218	1162		1272		218, 261, 1163, 1237-1238, 1273

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
471 -	By Senators Rose, Thorne, and Roberts: Creating Student-First School Funding Act	218					219, 596
472 -	By Senators Deeds, Woelfel, Roberts, Rucker, Garcia, Maynard, Fuller, Weld, and Willis: Requiring transparency from Department of Human Services	219	781				219, 245, 261, 299, 336, 655, 781, 808, 1032
473 -	By Senators Tarr and Weld: Limiting medical monitoring damages	219					219, 246
**474 -	By Senator Smith (Mr. President) [By Request of the Executive]: Ending diversity, equity, and inclusion programs	219	575, 934		1004, 2906, 2910	2857	220, 547, 576, 934, 963, 1004, 2857-2858, 2905-2906, 2907-2910, 2929, 2967
475 -	By Senators Stuart and Deeds: Creating Violent Crime Prevention Act	220					220, 246
476 -	By Senators Phillips, Hart, Queen, Tarr, and Morris: Relating to permissible expenditures by Water Development Authority from Infrastructure Fund	220					220, 246
*477 -	By Senators Woelfel and Deeds: Requiring ambulance, if available, at middle school or high school football game	220					221
478 -	By Senator Woelfel: Repealing athletic eligibility of transfer students	221					221
479 -	By Senator Woodrum: Relating to forms and disclosures to Ethics Commission	221					221
480 -	By Senators Woodrum and Morris: Allowing licensed substitute and full-time teachers to serve as parent volunteers without additional background check	221					221, 261
481 -	By Senators Woodrum, Oliverio, Deeds, Weld, Woelfel, Morris, Thorne, Helton, Bartlett, Grady, Willis, and Hart: Allowing off-duty law-enforcement officers to carry concealed weapons at public schools and public school events	221					221, 246, 261, 284, 299, 317, 358, 1243

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*482 -	By Senators Woodrum, Rucker, and Hamilton: Certified Professional Midwife Licensing and Regulation	221	368		437		222, 261, 384, 399, 419, 438
483 -	By Senators Woodrum, Oliverio, and Hamilton: Increasing civil penalties for failure to file required campaign finance reports	222	369		513		222, 384, 399, 419-420, 440, 465, 495, 513
*484 -	By Senators Woodrum, Oliverio, and Deeds: Relating to disclosures and penalties associated with use of synthetic media and artificial intelligence	222	388				222, 401, 420, 441, 466
*485 -	By Senators Woodrum and Oliverio: Exempting West Virginia Secretary of State from competitive bidding process	222	477	2181-2182	555, 2182	2181	223, 517, 540, 556, 2183, 2918, 2967
*486 -	By Senators Woodrum and Oliverio: Clarifying eligibility requirements to vote in WV elections	223	389	769-771	462, 772	769	223, 420, 440, 463, 722, 857, 1019
*487 -	By Senator Woodrum: Removing ineligible voters from active voter rolls	223	406		491	734	223, 441, 465, 491, 807
*488 -	By Senators Woodrum and Oliverio: Clarifying definition of electioneering	223	389		463		223, 421, 440, 463, 2568
*489 -	By Senators Woodrum and Oliverio: Relating to election law violation complaints and procedures	224	390				224, 421, 441, 466
490 -	By Senators Woodrum, Oliverio, Rucker, and Rose: Prohibiting ranked-choice voting in elections in West Virginia	224	391		463	548	224, 358, 401, 421, 440, 464, 621, 779
491 -	By Senators Woodrum and Oliverio: Relating to reporting requirements and spending thresholds for expenditures on elections	224					224
492 -	By Senators Woodrum and Oliverio: Removing outdated provisions governing political committees	224	479		556	953	224, 518, 540, 556, 1031, 1255

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
493 -	By Senator Woodrum: Removing the amount limitations on contributions to all political committees	225					225
494 -	By Senators Woodrum and Oliverio: Expanding time frame for certain electioneering communication reporting requirements	225					225
495 -	By Senators Woodrum and Oliverio: Requiring contact information for chair of political committee	225					225
496 -	By Senators Thorne and Rucker: Removing reflexology and other energy-based work from definition of "massage therapy"	225	369	2183-2184	438, 2184	2183	225, 400, 420, 438, 2185, 2918, 2955
497 -	By Senator Chapman: Preventing home insurers from canceling policy for isolated event	225					226
498 -	By Senator Chapman: Permitting dedicated lottery tickets for special interests	226					226
499 -	By Senators Smith (Mr. President) and Woelfel: Non-Profit Athletics Act	226					226
*500 -	By Senators Chapman and Deeds: Transferring audits of volunteer fire departments to Legislative Auditor	227	525		613	1517	227, 547, 560, 591-592, 614, 2197, 2955
501 -	By Senator Tarr: Relating to loan form	277	503		586		277, 546, 559, 587
502 -	By Senator Rucker: Relating to counties' ability to regulate floodplains under National Flood Insurance Program guidelines	277					277
*503 -	By Senators Helton and Rose: Allowing sheriffs to appoint more than one chief deputy with consent of county commission	277	450		537	2616	277, 495, 496, 514, 537, 2616-2623
504 -	By Senators Helton, Thorne, and Rose: Prohibiting camping in public places	227					228, 262, 318

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*505 -	By Senators Martin, Smith (Mr. President), Rose, Phillips, Taylor, Hart, and Willis: Ensuring Reliable and Affordable Electricity Act	228	935		1037		228, 246, 262, 596, 710, 935, 967, 1011, 1037-1038
**506 -	By Senators Tarr, Barrett, Grady, Rucker, Woelfel, Bartlett, Rose, Willis, Taylor, Oliverio, Deeds, and Helton: Relating to enhanced pay for certain teachers	238	781, 1021				238, 262, 299, 318, 358, 384, 782, 808, 1021, 1047, 1093, 1132-1133, 1164-1165, 1208
507 -	By Senators Thorne, Rose, Rucker, Bartlett, Willis, Helton, and Hart: Prohibiting drag shows from being performed in front of minors	238					239, 262, 299, 358, 467, 1243
508 -	By Senators Deeds, Woelfel, and Rucker: Creating mental hygiene regions by Supreme Court of Appeals	239					239, 262, 299
509 -	By Senators Deeds, Woelfel, and Grady: Modifying criminal penalties imposed on parent, guardian, or custodian for child abuse	240					240, 262, 318
510 -	By Senators Rose, Martin, Bartlett, and Hart: Creating Stable Energy Rates Protection Act	240					240, 299, 496
511 -	By Senator Smith (Mr. President): Increasing certain fees under Uniform Securities provisions	251					251
512 -	By Senator Smith (Mr. President): Raising fee for registration of agent of issuer	251					251
513 -	By Senator Weld: Relating generally to video lottery	251	576				252, 576, 596, 710
514 -	By Senators Woelfel, Garcia, and Takubo: Requiring full text of proposed Constitutional amendments be included on official ballots	252					252, 622
515 -	By Senators Helton and Deeds: Relating to involuntary hospitalization for substance use disorder	252					252, 299

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*516 -	By Senators Morris, Rose, Thorne, Hamilton, Deeds, Taylor, and Hart: Providing extra state aid to school districts for students enrolled in extremely remote schools	252	688				253, 284, 689, 710
517 -	By Senators Rucker, Grady, and Willis: Requiring medical professionals to report injuries and side effects from vaccines to Bureau for Public Health	253	1063		1133		253, 285, 1064, 1098, 1106, 1133
518 -	By Senators Weld and Oliverio: Exempting non-grantor trusts administered in state from personal income taxation	253					253, 385
519 -	By Senator Taylor: Adopting statewide public camping ban	253					254
520 -	By Senators Willis, Thorne, and Rucker: Relating to locality pay	254					254, 285, 299
*521 -	By Senators Willis, Rose, Thorne, and Taylor: Requiring party affiliations be listed for all candidates	254	504	592-594, 615	614-615		254, 285, 299, 519, 546, 559, 594, 615
*522 -	By Senator Woodrum: Clarifying procedure for administrative dissolution of limited liability companies by Secretary of State	275	478		587	1355	275, 518, 540-541, 560, 587, 1702, 2955
523 -	By Senator Woodrum: Requiring candidates for municipal offices to file campaign financial statements and financial reports	275					275
524 -	By Senator Woodrum: Clarifying persons permitted to be present in polling place during election period for non-voting activities	275					275
*525 -	By Senator Woodrum: Clarifying procedure for administrative dissolution of nonprofit corporations by Secretary of State	275	478		587-588	1355	275, 518, 541, 560, 588, 1702, 2955

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*526 -	By Senators Chapman, Rose, and Willis: Creating Pharmacist Prescribing Authority Act	276	307, 576, 936	963-965, 1005, 2623-2626	1004, 2626	2623	276, 307, 547, 596, 619, 646, 705-708, 726, 1005, 2626, 2931, 2955
527 -	By Senators Weld and Hamilton: Relating to assault and battery on emergency service personnel, law-enforcement officers, and correctional employees	276					276, 299
528 -	By Senators Weld and Woelfel: Relating to crime of sexual abuse by parent, guardian, custodian, or person in position of trust to child	276					276, 318
*529 -	By Senator Weld: Relating generally to liability insurance coverage for Board of Education	276	976		1038		276, 978, 1011, 1038
530 -	By Senators Rose, Thorne, Martin, Willis, and Hart: Creating the West Virginia Land Sovereignty Act	277					277, 358, 622
**531 -	By Senators Woelfel, Oliverio, Hamilton, Fuller, Taylor, and Helton: Relating to offenses of assault and battery on athletic officials	277	782, 1064	2806-2809	1165, 2810	2806, 2913	277, 710, 783, 808, 1104, 1106, 1155, 1161, 1165, 2810, 2929, 2972-2973
*532 -	By Senators Clements, Garcia, Oliverio, and Rose: Making ad valorem taxes on property payable only to county in which property is located	277	525		615		277, 560, 594, 616
533 -	By Senators Clements and Grady: Clarifying where the West Virginia Secondary Schools Activity Commission (WVSSAC) may be involved in legal action	277					277
*534 -	By Senators Fuller, Deeds, Hart, Helton, Willis, and Hamilton: Clarifying qualifications to be licensed to administer polygraphs	277	346		438-439		278, 358, 383, 398-399, 420, 439
535 -	By Senators Helton, Fuller, Jeffries, Tarr, and Roberts: Raleigh County Economic Opportunity Development District	278					278, 299, 316

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
536 -	By Senators Tarr, Grady, Jeffries, and Helton: Relating to county economic opportunity development districts	278					278, 299, 497
537 -	By Senators Helton, Fuller, Rucker, Roberts, Willis, Deeds, and Rose: Establishing WV Mothers and Babies Pregnancy Support Program	278	369	1823-1824	439, 1824	1822	278, 299, 385, 400, 420, 440, 1824, 2918, 2967
*538 -	By Senators Helton and Fuller: Allowing certain entities to purchase qualifying tax-delinquent properties before they are offered at public auction	278	689		798	1392	278, 731, 759, 799, 1392, 1850, 2967
539 -	By Senators Helton, Fuller, and Willis: Removing certain entities from list of exemptions from criminal liability relating to distribution and display of obscene matter to minor	278					279, 336
540 -	By Senators Helton and Fuller: Relating to annexation by minor boundary adjustment	279					279
541 -	By Senators Helton, Fuller, and Willis: Sentencing guidelines for fentanyl	279					279, 336
542 -	By Senator Tarr: Relating to violations and penalty for standalone methadone treatment programs or clinics	279					279
543 -	By Senators Tarr and Deeds: Clarifying oversight by Attorney General of political subdivision's hiring of private attorney under contingency fee or contract to sue	279					280, 655
544 -	By Senator Grady: Clarifying process of ventilation and fire suppression for limited use food preparation facilities	280					280
*545 -	By Senators Barrett, Woelfel, Jeffries, Rucker, Deeds, and Taylor: Banning certain products from food in WV	288	407				288, 318, 422, 441

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*546 -	By Senator Jeffries: Authorizing county commissions to levy additional excise tax on transferring real property to fund local economic development	288	604				288, 604
*547 -	By Senators Rucker, Helton, and Rose: Creating Charter Schools Startup Fund	288	690		799		288, 318, 710, 731, 799
*548 -	By Senators Grady and Woelfel: Creating Safety and Violence Education for Students Act	288	604	727-730, 755-756	755		289, 318, 605, 655, 708, 726-730, 755-756
549 -	By Senators Woelfel, Rucker, Tarr, and Willis: Eliminating income tax on qualified tipped wages	289					289, 318, 893
550 -	By Senator Deeds: Relating generally to Office of State Fire Marshal	289					289
551 -	By Senators Weld and Grady: Increasing penalty for murder in second degree	289					289, 336
*552 -	By Senators Jeffries, Grady, Tarr, Oliverio, and Clements: Relating to Certified Business Expansion Development Program	290	370, 479	514-515, 516	515		290, 318, 336, 385, 400, 421, 479, 516
553 -	By Senator Garcia: Relating to offense of driving above speed limit on controlled access highway or interstate highway	290	1122		1225		290, 1122, 1181, 1226
554 -	By Senators Garcia and Woelfel: Establishing Raylee's Law	290					291, 318
555 -	By Senator Tarr: Relating to public sector unions	291					291
556 -	By Senators Tarr and Chapman: Prohibiting requirement of certain immunizations as condition of being foster parent	291					291
557 -	By Senator Takubo: Relating to licensing by WV Board of Medicine	291					292
*558 -	By Senators Oliverio, Boley, Grady, Woelfel, and Deeds: Requiring computer science course prior to graduation	292	408				292, 318, 336, 409, 422

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
559 -	By Senators Oliverio, Boley, Charnock, and Clements: Requiring legal actions concerning WVSSAC to be filed in Wood or Kanawha County	293					293, 318
560 -	By Senators Thorne and Rucker: Allowing counties and municipalities to limit utility scale renewable energy facilities	293					293, 318
561 -	By Senators Oliverio, Queen, Taylor, Woelfel, and Charnock: Relating to Uniform Special Deposits Act	293	503		588	2568	294, 546, 560, 589, 2927, 2967
562 -	By Senators Oliverio, Queen, Taylor, Woelfel, and Charnock: Relating to Uniform Child Abduction Prevention Act	294					294
563 -	By Senator Tarr: Providing members of State Teachers Retirement System are absent from service while serving as officer with statewide professional teaching association	308					309
564 -	By Senators Tarr, Maynard, and Helton: Prohibiting voters not affiliated with major political party from voting ballot of political party in primary election	309	480				309, 480, 497
*565 -	By Senators Taylor, Clements, Garcia, Hamilton, Morris, Roberts, Rose, Rucker, and Deeds: Relating generally to practice of optometry	309	480	544-545, 2185-2187	556-557, 2187	2185	309, 336, 518, 541-545, 557, 2187, 2918, 2969
*566 -	By Senators Fuller, Jeffries, Maynard, Oliverio, Rose, Weld, Hamilton, Helton, Morris, Garcia, Deeds, and Willis: Providing certified law-enforcement officers tuition-free education up to highest tuition rate for public higher education in WV	309	481				309, 336, 385, 482, 497
567 -	By Senators Rose and Thorne: Prohibiting employment termination of employee who defends themselves from attack inside workplace	310					310, 336

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
568 -	By Senator Azinger: Preserving privilege and confidentiality of information required as part of market conduct examination by Insurance Commissioner	310					310
**569 -	By Senator Rucker: Establishing certain rights for purchasers of residential improvements	310	869, 1195		1273		310, 870, 1196, 1238, 1273
**570 -	By Senators Rucker, Thorne, Rose, and Willis: Requiring economic impact statements for certain legislative rules	311	712, 978	1011-1012	1038		311, 336, 712, 979, 989, 1012, 1039
571 -	By Senator Phillips: Mandating use of electronic lien and title system for anyone who records more than five liens in calendar year	322					322
572 -	By Senator Tarr: Prohibiting spending authority for money used by board or commission that retains labor position	322					322
*573 -	By Senators Queen, Rose, Taylor, Rucker, Maynard, and Thorne: Relating to restrictions on use or sale of motor vehicles based on power source	322	449		538	1392-1393	322, 358, 385, 442, 495, 516, 538, 1850, 2955
574 -	By Senators Helton, Fuller, and Thorne: Prohibiting diversity, equity, and inclusion policies	323					323, 358, 442
575 -	By Senators Tarr, Jeffries, Thorne, Maynard, and Azinger: Defining community air monitoring	323					323, 385, 401, 622
*576 -	By Senator Barrett: Authorizing fixed odds racing in horse and dog racing	323	1022	1047-1048, 2627-2639	1133, 2639	2626-2627	324, 1022, 1048, 1093, 1134, 2639, 2931, 2962
577 -	By Senator Barrett: Clarifying prohibited practices by manufacturer, factory branch, distributor, or distributor branch when providing new motor vehicle to dealer	324	606				324, 358, 606, 622

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*578 -	By Senators Grady, Rucker, Hamilton, and Takubo: Relating to pet food packages	324	504, 783				324, 358, 505, 519, 808, 855, 890
579 -	By Senators Helton, Fuller, Woodrum, and Taylor: Relating to Home Rule Reform	324	783		922		324, 561, 808, 855, 890, 921-922
580 -	By Senators Helton and Fuller: Increasing penalty for felony distribution of controlled substance classified in Schedule I or II	325					325
*581 -	By Senators Oliverio, Garcia, Grady, Martin, Woodrum, Morris, Clements, Thorne, Deeds, Hamilton, and Hart: Relating to school attendance and student participation in 4-H activities	325	409	492, 493, 2680-2688	492, 2689	2680, 2914	325, 358, 422, 442, 465, 491-493, 2689, 2930, 2955
582 -	By Senators Oliverio, Deeds, Fuller, Garcia, Woodrum, Clements, Woelfel, and Morris: Permitting current campus police officers to participate in WV DNR Police Officer Retirement System	325					325, 359, 385, 401
583 -	By Senators Helton, Smith (Mr. President), Fuller, Martin, Phillips, Rose, Rucker, Taylor, Willis, Thorne, Roberts, and Woelfel: Establishing economic incentives for data centers to locate within state	325					326, 359, 385
584 -	By Senators Helton and Fuller: Lauren's Law increasing penalty for delivery of certain controlled substances	326					326, 359
**585 -	By Senators Stuart, Helton, Jeffries, Morris, Oliverio, Phillips, Rose, Rucker, Taylor, Clements, Takubo, and Deeds: Relating to Cohen Craddock Student Athlete Safety Act	326	505, 1090		1226		326, 359, 466, 506, 547, 1160, 1181, 1227
**586 -	By Senator Garcia: Relating to requirements for filling vacancies in certain elected federal, state, and county offices	327	370, 634	2708-2721, 2911-2912	756, 2722, 2912	2708, 2910	327, 371, 708, 730, 757, 2722, 2912-2913, 2931, 2965
**587 -	By Senator Jeffries: Relating generally to government contracting	327	482, 870	2640-2641	1005, 2642	2639-2640	328, 483, 929, 965, 1006, 2642, 2930, 2955

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
588 -	By Senators Rucker, Grady, Hart, Martin, Maynard, Rose, Tarr, and Willis: Relating to WV Food Freedom Act	328					328
**589 -	By Senators Woodrum, Woelfel, Taylor, Takubo, Deeds, Willis, and Garcia: Providing pay increases to members of judiciary	349	450, 743, 936				350, 385, 452, 467, 743, 937
590 -	By Senators Deeds and Jeffries: Clarifying conditions for pretrial release and maximum bail amount for certain defendants	350					350, 385
591 -	By Senators Deeds, Thorne, and Jeffries: Creating Criminal Forfeiture Process Act to replace West Virginia Contraband Forfeiture Act	350					351, 385
*592 -	By Senators Martin, Helton, Tarr, Rose, and Willis: Relating generally to aboveground storage tanks	351	577		700		351, 385, 596, 619, 646, 701
*593 -	By Senators Rucker, Boley, Willis, and Rose: Preserving voting data from electronic voting machines	351	1065		1134		352, 893, 1065, 1098- 1099, 1106, 1134- 1135
594 -	By Senators Rucker and Willis: Relating to right to try individualized treatments	352	691				352, 692, 710
*595 -	By Senators Woodrum, Jeffries, Maynard, Helton, Deeds, and Willis: Creating Mountain Bike Responsibility Act	352	814		959		352, 892, 893, 925- 926, 960
596 -	By Senators Maynard and Rucker: Relating to parents' Bill of Rights	352					352, 385
597 -	By Senators Maynard and Rucker: Eliminating restriction to carry firearm on State Capitol Complex grounds	353					353, 385
598 -	By Senators Stuart, Woelfel, Deeds, and Willis: Permitting judges to refer parents to prosecuting attorney for making certain false allegations in child custody proceedings	353	692		799- 800		353, 385, 710, 731, 760, 800

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
599 -	By Senators Rucker, Woodrum, Morris, Charnock, and Thorne: Creating Sound Science in Regulations Act	371					372, 401, 1083
600 -	By Senator Martin: Creating Securing Worker Privacy and Right to Know Act	372					372, 401, 763
*601 -	By Senator Deeds: Relating to fees and charges for municipality-provided fire services	372	743		883		372, 802, 837, 884
602 -	By Senators Deeds and Woodrum: Relating to Closed Captioning Act	372					372, 562
603 -	By Senators Oliverio, Deeds, Fuller, Garcia, Woelfel, and Takubo: Exempting WV campus police officer retirement income from personal income tax after specified date	373					373
*604 -	By Senators Stuart, Hart, Willis, Deeds, Garcia, Chapman, and Bartlett: Requiring Department of Human Services to notify PSC that person is eligible for discount on utility bills	373	578				373, 401, 579, 597, 622
605 -	By Senators Stuart and Willis: Requiring certain public or private entities that own, lease, or oversee water or electric supply utility to implement utility continuity rate credit program	373					373, 763
*606 -	By Senator Grady: Relating to notification of breast density	374	526		616		374, 527, 560-561, 594, 616
607 -	By Senator Barrett: Expiring funds to unappropriated surplus balance in State Fund from Economic Development Fund	374					374
608 -	By Senator Rucker: Removing rape and incest exception to obtain abortion in WV	374					374

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
609 -	By Senators Taylor and Oliverio: Relating to trespassing on premises of higher education institution	374					374, 497
*610 -	By Senators Maynard, Rose, Rucker, Hart, and Thorne: Exempting overtime compensation from income tax	374	579				374, 401, 497, 580, 763
611 -	By Senators Morris and Roberts: Excluding workers of ski area operators from maximum hour requirements	375	452				375, 496, 516, 545-546
612 -	By Senators Stuart, Bartlett, and Taylor: Making rules and regulations of PSC subject to legislative rule-making review procedures	375	483		557		375, 442, 518, 519, 546, 558
613 -	By Senator Smith (Mr. President): Increasing cap on audits of municipalities	375					375
*614 -	By Senators Rucker, Azinger, Barrett, Fuller, Hart, Helton, Maynard, Roberts, Rose, Thorne, and Bartlett: Authorizing over-the-counter sale of Ivermectin	392	606				392, 442, 466, 607, 622
615 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Eliminating accelerated tax payment requirements	393	740		884	1517	393, 803, 837, 885, 2197, 2955
616 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplementary appropriation of public moneys to DHS, Medical State Share Fund	393					393
*617 -	By Senators Roberts, Azinger, Barrett, Deeds, Fuller, Hart, Helton, Jeffries, Maynard, Morris, Rose, Stuart, Tarr, Thorne, Bartlett, and Willis: Discouraging gang activity	393	937	1945-1946	1006, 1946	1945	393, 938, 965, 989, 1006, 1945-1947, 2918, 2955
*618 -	By Senators Thorne, Willis, Rose, Rucker, and Hart: Allowing reduced property valuation for certain farmland	393	633				393, 422, 634, 859

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
619 -	By Senators Willis, Woelfel, and Thorne: Authorizing judge or chief judge to fill prospective vacancy in office of magistrate	394					394, 422
620 -	By Senators Willis and Woelfel: Relating to time for appeal in Intermediate Court of Appeals	394					394, 422
621 -	By Senators Willis, Woelfel, and Thorne: Authorizing digital court records	394	692		800	953	394, 422, 731, 760, 801, 1031, 1255
*622 -	By Senators Willis, Woelfel, Thorne, Deeds, and Garcia: Authorizing compensation for certain lower court staff	394	451				395, 422, 452, 467
623 -	By Senators Willis, Woelfel, and Thorne: Specifying circumstances in which senior judges and justices may be recalled to service	395					395, 422
624 -	By Senators Willis, Woelfel, and Thorne: Relating to vacancies in offices of state officials	395					395, 422
625 -	By Senator Tarr: Relating to judges disqualifying themselves in certain instances	395					395
**626 -	By Senators Garcia and Oliverio: Relating to qualifications of regional airport authority members	395	872, 1065		1136		396, 872, 893, 1066, 1099, 1136
*627 -	By Senators Jeffries, Clements, Helton, Rose, and Tarr: Removing prohibition against leasing state-owned pore spaces underlying lands designated as state parks	410	484	1824-1827	558, 1827	1824	410, 496, 518, 546, 558, 1827, 2918, 2955
628 -	By Senators Helton and Thorne: Relating to non-opioid medication	410					410, 442
629 -	By Senators Helton, Clements, Fuller, Garcia, Jeffries, Maynard, Tarr, Thorne, Willis, Rucker, and Morris: Providing increase in salary to WV Birth to Three contracted therapists and employees	410					410, 442

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
630 -	By Senator Deeds: Relating to reporting duties of county commission regarding ambulance services	411					411
631 -	By Senator Deeds: Relating to eligibility for WV Invests Grant Program	411	692				411, 693
*632 -	By Senators Deeds and Helton: Relating to surprise billing of out-of-network ambulance services	411	1066		1165		411, 655, 1067-1068, 1105, 1155, 1166
633 -	By Senators Rucker, Azinger, Bartlett, Deeds, Fuller, Grady, Helton, Maynard, Roberts, Rose, Tarr, Taylor, Thorne, Willis, and Hart: Protecting Kids from Porn Act	412					412, 859
634 -	By Senator Rucker: Relating to distressed land net metering	412					412
635 -	By Senator Garcia: Limiting use of state funding under Hope Scholarship program for out-of-state private schools and providers	412					412
636 -	By Senator Garcia: Repealing Workplace Freedom Act	412					413
637 -	By Senator Garcia: Creating Paid Parental Leave Pilot Program	413					413
638 -	By Senator Garcia: Providing cost-of-living provision for certain retirees under PERS and TRS	413					413
**639 -	By Senator Willis: Creating WV Small Business Appreciation and Acknowledgement Act	426	693, 1196		1273		426, 693, 1197, 1238, 1274-1275
640 -	By Senator Willis: Relating to number of children who may be in family child care home	426					427
641 -	By Senators Willis and Woelfel: Updating time frame for scheduling of hearing on petition for eviction	427					427

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
642 -	By Senators Willis and Woelfel: Relating to vacancies in office of magistrate	427					427
643 -	By Senator Garcia: Restoring voting rights for person incarcerated for felony upon release	427					427
644 -	By Senator Garcia: Reinstating prevailing wage	427					428
645 -	By Senator Weld: Requiring petition of qualified voters for defeated amendment to be reconsidered regarding city charters	428					428
**646 -	By Senators Fuller and Rose: Increasing non-traditional instruction days for WV teachers	428	527, 938		1006		428, 527, 938, 965, 1007
647 -	By Senators Grady and Oliverio: Authorizing higher education institutions to enter into agreements relating to student-athlete's name, image, or likeness	428					429, 497
648 -	By Senator Chapman: Requiring courts to interpret statutes and regulations	429					429
649 -	By Senator Barrett: Supplementing and amending appropriations to Department of Health, Office of Inspector General	429	528	594-595	616		429, 561, 595, 617
650 -	By Senators Grady and Woelfel: Relating to full-time interventionists	429	528	1518-1519	617, 1519	1518, 1852	429, 467, 561, 595, 618, 1518-1520, 2918, 2955
651 -	By Senators Garcia, Woelfel, and Hamilton: Creating WV Black Lung Program	429					430, 467, 710
**652 -	By Senators Grady, Woelfel, and Deeds: Expanding cardiac arrest provisions to be applicable to elementary schools	430	528, 939		1007	2568	430, 467, 529, 547, 939, 965, 1008, 2928, 2955
653 -	By Senators Takubo, Azinger, Rose, and Woelfel: Relating generally to EMS retirement	430					430, 467

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
654 -	By Senators Takubo and Deeds: Creating WV ALS Care Services Act	430					431, 763
655 -	By Senator Takubo: Providing limited immunity for mental health providers who are involved in mental hygiene checks	431	872		1008		431, 929, 966, 1009
656 -	By Senators Oliverio, Deeds, Fuller, Hamilton, Morris, and Woelfel: Relating to impeding, threatening, or harassing first responders	431					431, 467
657 -	By Senators Oliverio, Fuller, Garcia, and Woelfel: Exempting WV campus police officer retirement income from personal income tax	431					431
*658 -	By Senator Oliverio: Prohibiting certain persons from receiving compensation for advising or assisting with veterans' benefits	431	549		644		432, 595, 618, 645
659 -	By Senators Willis, Thorne, Bartlett, Hart, and Helton: Creating Parents' Bill of Rights	432					432, 467, 622, 710, 808
660 -	By Senator Willis: Removing restrictions for supervising physicians for nurse practitioners or physician assistants in WV	432					432
661 -	By Senator Willis: Revising reimbursement and transportation process for post-mental health involuntary commitment	433					433
662 -	By Senators Garcia and Woelfel: Clarifying racial discrimination includes discrimination based on certain hair textures and hairstyles	452					452, 497
**663 -	By Senators Azinger, Willis, and Rucker: Creating Fair Access to Financial Services Act	452	635, 1033		1166		453, 636, 655, 1034, 1099, 1106, 1136, 1167

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
664 -	By Senators Azinger, Martin, Phillips, Charnock, Helton, Roberts, and Rose: Establishing First Amendment Preservation Act	453					453, 497, 1106
665 -	By Senator Azinger: Ensuring that survivor of merger, reorganization, purchase, or assumption of liabilities of bank chartered by WV is insured by FDIC	453					453
666 -	By Senator Weld: Updating definition of disabled veteran taxpayer	454	694				454, 694
667 -	By Senators Azinger and Bartlett: Providing for display of Ten Commandments in each classroom	454					454, 497
668 -	By Senator Roberts: Relating to volunteer firefighter tax credit	453					453
669 -	By Senators Garcia and Woelfel: Requiring medical insurance providers to include infertility services in policies	454					455, 497
670 -	By Senator Garcia: Relating to locality pay to certain Division of Highways employees	455					455
671 -	By Senators Rucker and Willis: Creating By-Right Housing Development Act	455					455
672 -	By Senators Rucker, Woelfel, and Bartlett: Limiting student use of cell phones in K-12 classrooms	455					455, 497
673 -	By Senator Rucker: Defining third-party challenges to development permits	455					456
674 -	By Senators Rucker, Grady, and Bartlett: Creating Standardized Testing Choice Act	456					456, 497
675 -	By Senators Rucker, Azinger, Roberts, Rose, Thorne, Woelfel, and Bartlett: Requiring participant in federal 340B Drug Pricing Program to report certain data	456					456, 496-497

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
676 -	By Senators Rucker, Thorne, Rose, and Hart: Providing veterinarian and veterinary technician reciprocity	457					457, 497, 859
*677 -	By Senator Smith (Mr. President): Increasing fees charged by Commissioner of Securities for each offering	457	1122		1226	2569	457, 1123, 1181, 1227, 2931, 2962
*678 -	By Senators Hart, Helton, Phillips, Rose, Rucker, Willis, Thorne, Azinger, Fuller, and Maynard: Establishing Coal Based Affordable Electricity and Economic Growth Act	457	745				457, 497, 746, 763, 808, 859
679 -	By Senators Hart and Rose: Repealing vehicle inspection sticker requirements in WV	457					457
680 -	By Senators Hart and Rose: Establishing Comprehensive Highway Paving Plan	458					458
*681 -	By Senators Hart and Rucker: Providing PSC jurisdiction over internet service providers	458	742				458, 743, 763
682 -	By Senators Hart, Phillips, Rose, and Thorne: Requiring electric utility meter choice	458					458, 497
*683 -	By Senator Smith (Mr. President): Relating to land sales by Auditor	458	744	837-851, 886	885		458, 803, 851, 886
684 -	By Senators Hart and Rose: Creating Community School Funding Formula Revision Act	459					459
685 -	By Senators Hart and Rose: Creating Non-Profit Transparency and Accountability Act	459					459
*686 -	By Senators Hart, Rose, Rucker, and Willis: Relating to WV commercial feed law	459	636		757		459, 497, 637, 655, 708, 730, 758
687 -	By Senators Hart and Rose: Relating to authority of PSC	459					460

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
688 -	By Senators Rose, Thorne, Rucker, Willis, and Hart: Providing for 4th Amendment Restoration Act	460					460, 859
*689 -	By Senators Rose, Rucker, Willis, and Taylor: State Sovereignty Act of 2025	460	607				460, 497, 607, 622
*690 -	By Senators Woodrum, Oliverio, Woelfel, Thorne, Clements, Hamilton, and Taylor: Authorizing county commissions to increase compensation of elected county officials	460	979	1048	1093		460, 497, 980, 1012, 1032, 1048, 1094
691 -	By Senators Garcia and Woelfel: Restricting access to crime records	460					461, 497
692 -	By Senators Rucker and Bartlett: Relating to requirements to receive PROMISE Scholarship	461					461, 497
693 -	By Senator Rucker: Modifying notification of brewery or dock price of nonintoxicating beer, ale, or other malt beverage or malt cooler	461					461
694 -	By Senators Rucker, Maynard, and Hart: Protecting state and local government systems and data from foreign entities	461	580				461, 580, 597, 859
695 -	By Senator Rucker: Requiring higher education institutions to accept Classic Learning Test	461					462
696 -	By Senator Clements: Establishing program for camera-assisted speed enforcement in active work zones on public highways	484					485
*697 -	By Senators Chapman, Bartlett, Woelfel, Rose, Willis, Taylor, Garcia, and Takubo: Creating Caregiver Tax Credit Act	485	784				485, 597, 622, 655, 785, 808
698 -	By Senators Deeds, Fuller, and Woodrum: Relating to open captioning for motion pictures	485					486

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
699 -	By Senators Woodrum, Thorne, Rucker, and Rose: Protecting environment and humans from geo-engineering experiments	486					486, 519, 547
700 -	By Senator Woodrum: Relating to effects on regular levy rates when appraisal results in tax increase and public hearings	486					486
**701 -	By Senators Woodrum, Deeds, Hamilton, and Jeffries: Classifying forestry equipment for levy purposes	486	632, 1123		1227		486, 633, 655, 1124, 1161, 1181, 1228
*702 -	By Senators Chapman and Garcia: Relating to payment rates for child care services	486	784				487, 785, 808
703 -	By Senators Oliverio, Charnock, Garcia, and Woelfel: Allowing Supreme Court of Appeals discretion to create uniform pay scales for all levels of judicial support staff	487					487
704 -	By Senator Willis: Relating to reports of circuit court proceedings	487					487
*705 -	By Senators Willis, Thorne, Hart, Taylor, and Rose: Allowing Board of Education to promulgate rules for submission to Legislature	487	902		1009		487, 519, 903, 947, 966, 1009
706 -	By Senators Willis, Rose, Thorne, and Bartlett: Bringing Department of Education under rule-making review of Legislature	487					487, 519
*707 -	By Senators Helton, Thorne, Rucker, Willis, Garcia, Taylor, and Morris: Providing increase in salary to WV Birth-to-Three contracted therapists and employees	487	602, 997		1136		488, 519, 603, 622, 997, 1032, 1048-1049, 1094, 1137-1138
*708 -	By Senators Garcia, Hamilton, and Phillips: Providing state mine inspectors with raise	488	746, 1023		1094		488, 746, 763, 1023, 1049, 1083, 1094-1095

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
709 -	By Senators Rucker and Willis: Repealing provisions of code that exempt Department of Transportation, Tax Division, and Bureau of Social Services from Division of Personnel	488	606				488, 606, 622
*710 -	By Senators Chapman and Roberts: Relating to the practice of teledentistry	488	529, 740	2689-2696	886, 2696	2689	489, 530, 733, 803, 851, 887, 2696, 2931, 2955
711 -	By Senator Maynard: Removing prohibition against establishing additional trail systems within state parks and state forests	506					506
712 -	By Senator Oliverio: Relating to retirement provisions of systems managed by CPRB	506	580	646-649, 701-702, 2642-2645	701, 2645	2642	507, 581, 619, 648-649, 701-702, 2646, 2931, 2955
713 -	By Senator Charnock: Creating WV Workplace Security Act	507					507
714 -	By Senator Rucker: Creating Voluntary Portable Benefit Account Act	507					508
*715 -	By Senator Oliverio: Relating to personally identifiable information of member, retirant, beneficiary, or alternate payee of retirement system	507	581		702	1520	508, 582, 619, 649, 703, 1520-1521, 2197, 2955
716 -	By Senator Oliverio: Relating to failure to pay required contributions and interest payments for certain retirees who transfer between retirement systems	508	581		703	1521	508, 581, 619, 649, 704, 1521-1522, 2197, 2955
717 -	By Senator Helton: Prohibiting surprise billing of ground emergency medical services by nonparticipating providers	508					508
*718 -	By Senator Rucker: Relating to hospital transparency	508	1068	1167-1173, 1174	1174		509, 1068, 1099, 1138, 1167-1174
*719 -	By Senators Chapman and Rose: Relating to age at which minor can consent to certain medical decisions and services	509	686		801		509, 547, 732, 760, 801

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
720 -	By Senator Clements: Requiring declaration of pooled units be filed with drilling permits	509					509, 547
*721 -	By Senators Hamilton, Thorne, and Hart: Authorizing use of unmanned aerial vehicles to track certain mortally wounded wild animals	510	815		960		510, 547, 816, 859, 893, 926, 960
*722 -	By Senators Jeffries, Phillips, Bartlett, Clements, Deeds, Grady, Helton, Morris, Queen, Rose, Taylor, Thorne, Weld, Woodrum, Rucker, and Hamilton: Creating WV Short Line Railroad Modernization Act	510	940, 1069	2545	1138, 2546	2545	510, 940, 989, 1070, 1099, 1139, 1161, 2546, 2931, 2974-2975
**723 -	By Senators Helton, Roberts, and Fuller: Relating to clinical inpatient medical treatment centers for substance use disorder	533	637, 1197		1275		533, 562, 596, 638, 808, 1198, 1238, 1275
*724 -	By Senators Barrett, Willis, and Hamilton: Relating to taxation	533	1070		1139		533, 1071, 1099, 1107, 1139, 1161
725 -	By Senators Grady and Woelfel: Relating to unlawful expenditures by local fiscal bodies	533	940		1009		534, 562, 940, 966, 1010
**726 -	By Senators Helton, Roberts, and Fuller: Relating to medication-assisted treatment programs	534	695, 1198	1238	1275-1276		534, 562, 696, 808, 1199, 1238-1239, 1276
727 -	By Senators Stuart, Woelfel, Bartlett, Willis, Deeds, and Rucker: Directing study of child welfare system be conducted by independent third party	534					534, 562, 597, 622
728 -	By Senator Weld: Relating generally to transfer on death deed	550	1034		1139		550, 1034, 1099, 1140
729 -	By Senator Azinger: Setting maximum interest rate which licensed regulated consumer lenders may charge on installment loans	550					551
**730 -	By Senators Tarr, Woodrum, and Thorne: Establishing Forest Carbon Registry	551	941, 1124				551, 597, 731, 941, 1185, 1239, 1276-1277

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*731 -	By Senators Rucker and Willis: Terminating Design Build Board	582	690		834		583, 710, 732, 760, 801, 834-835
732 -	By Senator Woodrum: Relating generally to medical cannabis	583					583
733 -	By Senator Maynard: Relating to membership composition of Legislative Oversight Commission on Department of Transportation Accountability	583	746		887		583, 803, 851, 888
734 -	By Senator Rucker: Repealing section creating A. James Manchin Rehabilitation Environmental Action Plan	583	694		835	2198	583, 732, 760, 802, 836, 2919, 2955
735 -	By Senators Deeds, Fuller, and Woodrum: Relating to development and operation of broadband within state	583					584
*736 -	By Senator Rucker: Relating to publication of registered lobbyist information	584	690	2188	836, 2188	2187	584, 732, 760-761, 802, 836, 2188, 2919, 2955
*737 -	By Senators Hamilton, Deeds, Thorne, Woelfel, Woodrum, Takubo, and Hart: Creating WV Farm Equipment Repair Pilot Program	584	977				584, 622, 893, 978
738 -	By Senator Rucker: Terminating Employee Suggestion Award Board	585	694		836	2198	585, 732, 761, 802, 837, 2919, 2956
*739 -	By Senator Helton: Relating to recovery residences	608	1028		1140		609, 1029, 1058, 1099, 1141
740 -	By Senators Hamilton, Azinger, Bartlett, Charnock, Deeds, Fuller, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Takubo, Tarr, Taylor, Thorne, Willis, Woodrum, Clements, and Woelfel: Establishing Stop Squatters Act	609					609, 655
741 -	By Senators Azinger, Oliverio, and Morris: Authorizing State Auditor to conduct fairness hearings	609					609

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
742 -	By Senators Azinger, Oliverio, Morris, and Charnock: Relating generally to jurisdiction in magistrate courts	610					610
743 -	By Senators Jeffries, Grady, Helton, and Tarr: Adjusting percentage of tax retained by clerk of county commission for certain purposes	610	785		922		610, 785, 855, 890, 923
744 -	By Senator Rucker: Repealing Central Nonprofit Coordinating Agency and Committee for Purchase of Commodities and Services from Handicapped	610					610
*745 -	By Senator Stuart: Strengthening and reforming lobbying requirements	610	1125	1182-1183			611, 1125, 1182-1183, 1228-1229
*746 -	By Senator Rucker: Allowing State Board of Education to delegate its Medicaid provider status to public charter schools	638	744		888	2199	639, 803, 852, 888, 2919, 2969
747 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Relating to Real Estate License Act	639	785		923	2569	639, 785, 856, 890, 924, 2931, 2957
*748 -	By Senators Helton, Clements, and Hamilton: Creating Safer Communities Act	639	1069		1141		639, 1070, 1100, 1142, 1161
749 -	By Senators Rucker and Helton: Relating generally to public charter schools	639					640
750 -	By Senators Woelfel and Garcia: Eliminating appointment process for PSC commission members	640					640, 710
751 -	By Senator Hart: Prohibiting manufacture, sale, or distribution of cultivated meat products	641	814				641, 815
752 -	By Senator Maynard: Establishing resident and nonresident wildlife viewing stamps	641					641
753 -	By Senators Rose, Roberts, and Charnock: Relating to dog racing requirements	641					642

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
754 -	By Senator Maynard: Creating Outdoor Americans with Disabilities Act	642					642
*755 -	By Senators Fuller, Deeds, Hamilton, Morris, Woelfel, and Helton: Establishing WV Secondary School Athletic Trainer and Career Technical Education Program Act	696	942				696, 733, 943, 989
756 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to DNR, Wildlife Resources	696					697
757 -	By Senators Garcia, Taylor, and Woelfel: Creating private cause of action for deprivation of right granted by state constitution or by state law	697					697, 733, 1032
758 -	By Senators Taylor, Stuart, and Bartlett: Creating Vape and Smoke Shop Location and Operating Requirements Act	697					697, 859
759 -	By Senators Chapman and Rucker: Relating to having no requirement for immunization	697					698
760 -	By Senator Chapman: Modifying rate of tax due on licensee's adjusted gross receipts	698					698
**761 -	By Senators Stuart, Bartlett, Helton, and Deeds: Creating Joel Archer Substance Abuse Intervention Act	698	820, 1035		1135		698, 820, 859, 1036, 1083, 1100, 1107, 1135-1136
762 -	By Senators Hart, Helton, and Phillips: Creating Support for Neglected Schools Act	712					712
*763 -	By Senators Hart, Smith (Mr. President), Helton, Phillips, Rose, and Taylor: Creating Public Electrical Savings Act	713	954				713, 954, 1012, 1032, 1049-1050, 1095
764 -	By Senators Hart, Fuller, and Helton: Creating Community School Parent Choice Act	713					713

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
**765 -	By Senators Willis, Thorne, Weld, Fuller, Grady, and Deeds: Establishing Troops-to-Teachers Program	713	816, 1071		1142	2260, 2746	713, 763, 808, 816, 989, 1071, 1100, 1107, 1142, 2260, 2931, 2967
766 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Department of Human Services	713					713
767 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Bureau for Medical Services	714					714
768 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Division of Corrections and Rehabilitation	714					714
769 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Department of Administration, Office of Secretary	714					714
770 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Department of Art, Culture, and History	715					715
771 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to State Board of Education	715					715
772 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Decreasing appropriation to Department of Health Facilities	715					715
773 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Adding new item of appropriation to State Board of Education	716					716

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
774 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Department of Health, WV Birth to Three Fund	716					716
775 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Expiring funds from WV Economic Development Authority	716					716
776 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Creating Firearms Industry Nondiscrimination Act	716	817				717, 817
777 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Department of Veterans' Assistance Fund	717					717
778 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Department of Human Services	717					718
779 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplementing, amending, and increasing appropriation to DMV	718					718
780 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Temporary Assistance for Needy Families	718					718
781 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Decreasing appropriation to Economic Development Authority and increasing appropriation to Department of Human Services	718					719
782 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Dietitians Licensure Board Fund	719					719

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
783 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Public Defender Services	719					719
784 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Division of General Services	719					720
785 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Fire Commission, Fire Marshal Fees	720					720
786 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to State Board of Education, State Department of Education	720					720
787 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Department of Health	720					721
788 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Department of Human Services	721					721
789 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Department of Commerce	721					721
*790 -	By Senator Maynard: Requiring quarterly reporting by certain water and wastewater utilities	721	1072	1155-1158	1174		721, 1074, 1105, 1158, 1175
791 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplemental appropriation to Bureau of Public Health, Office of Maternal, Child, and Family Health	722					722

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
792 -	By Senator Maynard: Requiring drivers to observe same safety requirements regarding railroad crossing when on-track equipment is present	722					722
793 -	By Senator Maynard: Creating reporting requirements for use of state-owned aircraft	722					722
*794 -	By Senator Maynard: Authorizing DOH to erect warning signs	722	943, 1195		1277	2569	723, 943, 1195, 1239, 1278, 2931, 2956
795 -	By Senator Maynard: Relating generally to traffic safety	723					723
796 -	By Senators Bartlett, Azinger, Charnock, Roberts, Rucker, and Thorne: Establishing legal voter identification standards	750					750, 808
797 -	By Senator Hart: Relating to Public Water System Supply Commission	750					751
798 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Exempting new hires and promoted employees within certain state agencies from classified civil service system	751					751
799 -	By Senator Smith (Mr. President): Permitting Auditor to hire private auctioneer to conduct annual auction of land sales	751					752
*800 -	By Senators Azinger and Oliverio: Relating to insurance holding company systems	751	817		960	2569	752, 859, 893, 926, 961, 2933, 2957
**801 -	By Senator Woodrum: Creating WV Public Waterway Access Act	752	1023, 1074		1142		752, 1024, 1075, 1100, 1143
*802 -	By Senators Woodrum and Hamilton: Establishing system for tracking receipt and status of absentee voter ballots	753	944				753, 944, 1032

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
803 -	By Senators Phillips, Hart, Rose, and Fuller: Relating to data centers	786					786, 859
804 -	By Senators Taylor, Smith (Mr. President), Azinger, Bartlett, Chapman, Charnock, Deeds, Fuller, Helton, Jeffries, Martin, Maynard, Morris, Roberts, Rose, Rucker, Stuart, Thorne, Weld, and Willis: Relating to WV Secondary School Activities Commission Reform Act	787					787, 989, 1106
*805 -	By Senators Rucker and Deeds: Promoting personal agriculture	788	1024				788, 859, 1025, 1083
806 -	By Senators Deeds, Azinger, Bartlett, Fuller, Hamilton, Thorne, and Woelfel: Reorganizing several provisions of bail statutes	788					789, 859
807 -	By Senators Oliverio, Azinger, Charnock, Garcia, Phillips, Fuller, Thorne, Rucker, and Hart: Exempting automobiles 25 years or older from personal property taxes	789					789, 859, 990
808 -	By Senators Weld and Garcia: Establishing Justice Reinvestment Task Force	789					789, 859
809 -	By Senator Morris: Modifying managed timberland certification requirements	789					790
*810 -	By Senators Rucker, Fuller, Taylor, Bartlett, Rose, Roberts, Maynard, Hart, and Helton: Clarifying requirements for administration of anesthesia and chronic pain practice by certain licensed nurses	790	954, 1075	1100-1102, 1144	1143	1703-1704	790, 859, 893, 955, 989-990, 1102, 1144, 2562, 2967
811 -	By Senators Chapman, Queen, and Garcia: Creating Child Care Subsidy Pilot Program	790					790, 893
812 -	By Senators Willis and Thorne: Establishing, defining, and creating criminal penalties for terrorist acts and groups	790					791, 859
813 -	By Senator Chapman: Extending time frame for Department of Human Services to identify relatives and fictive kin	791					791

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
814 -	By Senators Martin and Woelfel: Allowing county commissions to establish fees for municipality-provided fire services	791					791, 859
815 -	By Senator Phillips: Permitting access to funding for public water utilities subject to PSC's jurisdiction	791					792
816 -	By Senators Stuart, Bartlett, and Taylor: Prohibiting sales of unauthorized vape products	792					793, 859
*817 -	By Senator Chapman: Regulating private alternative adolescent residential or outdoor programs	793	874				793, 875
818 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Power Generation and Consumption Act of 2025	793					794
819 -	By Senator Rucker: Requiring heart health program in grades three through six	794					795
*820 -	By Senators Helton, Fuller, Roberts, and Rucker: Whistleblower Protection Fund Act	795	955		1039		795, 860, 956, 1012, 1040
*821 -	By Senators Chapman and Helton: Requiring child protective services workers to wear body-worn cameras	821	980				821, 982, 1083
*822 -	By Senator Chapman: Requiring Department of Human Services use mobile technology to assist in certain investigations	821	980				821, 982
*823 -	By Senator Rucker: Clarifying and separating duties between Division of Emergency Management and DEP	821	982	1012-1013, 1041	1040	1209	822, 984, 1013, 1041, 1295, 1690
824 -	By Senator Chapman: Amending procedures for regulation of scope of practice for occupations and professions	822					822

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*825 -	By Senators Jeffries and Woelfel: Permitting higher education institutions enter agreements with non-profit organizations for economic development and job creation	822	984	2697-2700	1041, 2700	2697	822, 893, 985, 1013, 1042, 2701, 2933, 2957
826 -	By Senator Rucker: Modifying survivor's benefit payments on first responders for payment of funeral expenses	822					822
827 -	By Senator Rucker: Updating requirements for parole hearings and notifications	823					823
828 -	By Senators Rucker and Garcia: Clarifying requirements for persons employed by Division of Corrections and Rehabilitation include contracted vendor staff	823	1126		1229	1393	823, 1126, 1183, 1208, 1229, 1851, 2957
*829 -	By Senator Rucker: Modifying classes of state of preparedness declared by Governor or Legislature	823	983		1042		823, 984, 1013, 1042
830 -	By Senator Rucker: Eliminating short-term loans provided to released inmates for costs related to reintegration	823					823
831 -	By Senators Weld, Woelfel, and Grady: Establishing Troops-to-Teachers Program	824					824, 893, 947
832 -	By Senators Chapman and Rucker: Providing for administration of cost-sharing calculations	824					824, 990
*833 -	By Senator Chapman: Excluding pharmaceutical medication from prior authorization gold card process	824	997		1144	2569	824, 998, 1050, 1095, 1145, 2933, 2957
**834 -	By Senators Weld and Grady: Relating to tax credit for qualified rehabilitated buildings investment	824	985, 1199		1278		824, 947, 986, 1200, 1239, 1278
835 -	By Senator Azinger: Decreasing service period for notice of tax lien sales	824					825
836 -	By Senator Azinger: Modifying requirements for payment of property taxes by co-owners or other interested parties	825					825

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
837 -	By Senator Rucker: Eliminating WV Office of Equal Opportunity	825	1076	2646-2648	1145, 2649	2646	825, 1076, 1102, 1145, 2649, 2933, 2957
838 -	By Senator Thorne: Prohibiting law enforcement from placing surveillance cameras on private property	825					825
839 -	By Senators Clements, Maynard, and Rose: Requiring Division of Labor establish separate rules for residential or commercial plumbing	825	956		1042		825, 956, 1013, 1032, 1043
840 -	By Senator Clements: Relating to nonresident income tax for natural resources royalty payments received from lessees	825					826
841 -	By Senators Maynard, Azinger, Bartlett, Charnock, Deeds, Fuller, Grady, Helton, Martin, Roberts, Rose, Rucker, Tarr, Taylor, Thorne, and Willis: Prohibiting state entities from promoting or engaging in any activity related to sexual orientation or gender transitioning	826					826
842 -	By Senator Hart: Establishing Fueling Modern Life Act	826					827
843 -	By Senators Clements and Woelfel: Allowing Board of Education to prohibit individuals on sex offender registry from being on school property	827					827, 893
*844 -	By Senators Rucker, Hart, and Deeds: Exempting non-native quail and partridge from game farm requirement if owned for agricultural purposes	827	1025		1095	2199	827, 1025, 1050, 1083, 1096, 2919, 2957
845 -	By Senator Willis: Relating to National Guard Servicemember's Medical Readiness Act	827					827
846 -	By Senator Morris: Relating to heating, ventilation, and air-condition technicians employed by State Board of Education or county boards of education	828					828

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
847 -	By Senator Stuart: Eliminating provisions limiting number of investigators in criminal investigation division of Tax Division	828					828
*848 -	By Senators Willis, Rucker, and Taylor: Enacting bank protections for eligible adults from financial exploitation	828	1126	1183	1230		828, 1127, 1183, 1208, 1230
849 -	By Senators Willis, Woelfel, and Helton: Providing enhanced pay for State Police	828					829, 990, 1032
*850 -	By Senators Willis and Helton: Creating Protecting Shareholders Act	829	1026				829, 1026, 1032, 1050, 1102-1103, 1158-1159, 1183, 1239
851 -	By Senators Rose, Chapman, Helton, Maynard, Rucker, and Willis: Creating Child Protection Investigations Reform Act	829					829
852 -	By Senator Takubo: Relating to regulation of pharmacy benefit managers	829					830
853 -	By Senators Jeffries, Clements, Deeds, Fuller, Hamilton, Helton, Queen, Roberts, Rose, Takubo, Tarr, Willis, and Woelfel: Clarifying terms of registration for tax abandoned land auctions and sales held by auditor	830					830, 894
854 -	By Senators Roberts, Rucker, Bartlett, and Helton: Creating Academic Quality in Public Education Act	830					830, 894, 1243
855 -	By Senators Rucker and Helton: Relating to incentive program to promote beverage container recycling	830					830, 1032
856 -	By Senator Rucker: Removing certain reporting requirements to Joint Committee on Government and Finance	831	986		1043	2582	831, 987, 1013, 1043, 2933, 2957
857 -	By Senator Helton: Establishing economic incentives for data centers to locate within state	831					832

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
858 -	By Senator Rucker: Relating to controlled substance schedules and to clean-up errors identified in code sections	832					832
859 -	By Senator Takubo: Levying user fee on cigarettes to support EMS	875					875
860 -	By Senators Takubo and Willis: Funding Tobacco Use Cessation Initiative	875					876
*861 -	By Senator Rucker: Updating references to reflect consolidation of Information Services and Communications Division into Office of Technology	876	983		1043-1044	1853	876, 984, 1013, 1044, 2919, 2957
862 -	By Senator Rucker: Repealing antiquated language related to Voluntary Gilding Dome Check-Off Program	876	986		1044	1853	876, 987, 1014, 1045, 2919, 2958
863 -	By Senator Rucker: Removing reference to Information Services and Communications Division	876	987		1045	1853	876, 987, 1014, 1045, 2919, 2958
*864 -	By Senators Deeds, Fuller, Hamilton, Morris, Phillips, Queen, Thorne, and Rucker: Clarifying inference of criminal intent in burglary prosecution	876	944	1014, 1046	1045		876, 945, 966, 1014, 1032, 1046
*865 -	By Senators Chapman and Rose: Relating to best interests of child standard	877	998				877, 999, 1032
866 -	By Senators Grady and Tarr: Requiring WV Board of Education to promulgate legislative rule in consultation with WV Board of Physical Therapy	877	986	2723-2730	1096, 2731	2722-2723	877, 947, 1015, 1050, 1096, 2731
867 -	By Senators Helton and Woelfel: Prohibiting payment to residential substance use disorder treatment facilities that do not meet certain requirements	877					878, 990
868 -	By Senator Stuart: Removing requirement of inspections and inspection stickers for certain motor vehicles and trailers	878					878

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*869 -	By Senator Hamilton: Creating Corridor H Advanced Energy and Economic Corridor Authority	878	1076		1175		878, 905, 1077, 1105, 1159, 1175-1176
870 -	By Senator Rucker: Relating to fees imposed by municipalities	879					879
*871 -	By Senator Rucker: Removing persons who perform drywall services from definition of "contractor" in Contractor Licensing Act	879	983		1046		879, 984, 1014, 1046
872 -	By Senator Oliverio: Allowing certain contracted counsel for executive agencies to purchase years of service in PERS	879					879
*873 -	By Senator Maynard: Creating WV Homelessness Rehabilitation and Public Safety Act	879	1077				879, 1078
**874 -	By Senator Barrett: Permitting current home confinement officers to participate in Emergency Medical Services Retirement System	880	945, 1026		1146		880, 946, 1027, 1050, 1097, 1146
*875 -	By Senator Garcia: Relating to container labeling of nonintoxicating beer and nonintoxicating craft beer	880	1078	1230-1232, 1233	1232		880, 1079, 1103, 1147, 1176, 1233
876 -	By Senator Rucker: Terminating certain requirements for Tax Commissioner to submit reports, publish information, and provide notice	880	987		1047	2199	880, 987, 1014, 1047, 2919, 2958
877 -	By Senators Rucker and Rose: Requiring resolution passed by Legislature to include language to be included on official ballots	880					880, 947
878 -	By Senator Oliverio: Reallocating portion of fire insurance and casualty premium tax to Municipal Pensions Security Fund in certain circumstances	881	1027				881, 1028
879 -	By Senators Grady and Woelfel: Requiring public high school students submit FAFSA prior to graduation	881					881, 990

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
880 -	By Senators Maynard and Clements: Relating to powers and duties of Commissioner of Division of Corrections and Rehabilitation regarding Stevens Correctional Center	881					882, 1083
881 -	By Senators Woodrum, Oliverio, and Woelfel: Modifying authority of certain higher education entities to sell and transfer property	903	999				904, 990, 999
882 -	By Senators Phillips and Hart: Relating to utilities	904					904
*883 -	By Senator Phillips: Providing director of WV Office of Miners' Health, Safety and Training discretion and authority in certain appointments	904	1127		1278	2569	904, 1186, 1239, 1279, 2933, 2958
884 -	By Senator Grady: Relating to liability for injury or damage resulting from intoxication	904					904
885 -	By Senators Willis and Rose: Creating Tax and Expenditure Limitation Act	904					905
886 -	By Senator Chapman: Relating to Foster Child Bill of Rights	905	1063		1176		905, 1064, 1105, 1159, 1176
*887 -	By Senator Chapman: Creating intermediate conservatorship or guardianship process prior to individual being involuntarily committed	905	988				905, 989
888 -	By Senators Takubo and Woelfel: Relating to testing for individuals in drug treatment	905					905, 990
889 -	By Senator Rucker: Creating Sustaining Opportunities for Academics in Rural Schools Act	906					906
*890 -	By Senator Thorne: Relating to auctioneers	906	1072		1176		906, 1074, 1105, 1159, 1177
891 -	By Senators Helton, Barrett, Roberts, and Willis: Creating State Central Legal Advertising website	906					906, 1032

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*892 -	By Senator Woodrum: Relating to property valuation	907	1073				907, 1074, 1105, 1159
893 -	By Senator Weld: Establishing offense of assault upon service animal	907					907
894 -	By Senators Hart and Rose: Relating to King Coal Highway Economic Advisory Board Act	907					907
895 -	By Senators Hart, Smith (Mr. President), and Rose: Relating generally to jurisdiction of PSC	907					907
896 -	By Senator Hart: Creating moratorium on school closings and consolidation	908					908
897 -	By Senator Hart: Creating Community School Support Fund	908					908
898 -	By Senators Oliverio and Rose: Allowing DOH to contract for snow removal on secondary roads in Monongalia and Preston counties	908					908
*899 -	By Senators Rose, Smith (Mr. President), Azinger, Hart, Martin, Thorne, and Willis: Protecting coal and gas minerals from carbon capture practices	908	946		1010		908, 946, 966, 1010
900 -	By Senator Stuart: Limiting sale of vape products in WV	909					909
901 -	By Senator Maynard: Requiring Department of Health to report positive alpha-gal tests to CDC	909					910
902 -	By Senator Helton: Securing WV baseload coal generation and ratepayer protection	910					910
903 -	By Senator Takubo: Relating to Tobacco Products Excise Tax Act	910					910
*904 -	By Senator Deeds: Clarifying requirements for Commissioner of Bureau for Public Health	910	1079		1147		911, 1079, 1103, 1147

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*905 -	By Senator Chapman: Requiring PEIA and other health insurance providers to provide payment parity for certain services	911	981				911, 982
906 -	By Senator Hart: Creating Community Schools Funding Formula Revision Act	911					911
907 -	By Senator Jeffries: Relating to high impact development projects	911	1080	2701-2706	1147, 2707	2701	912, 1080, 1103, 1148, 2707, 2933, 2958
*908 -	By Senator Stuart: Requiring Department of Economic Development to establish WV Produced or Manufactured Program	912	1080				912, 1081
909 -	By Senator Takubo: Relating to Medicaid reimbursement rates for certain mental health diagnostic and therapeutic procedures	912					912
910 -	By Senator Smith (Mr. President): Increasing fee under Uniform Securities Act	912					912
*911 -	By Senators Grady, Roberts, and Oliverio: Relating to adjunct teaching permits	912	1090	1184, 1233-1234	1233		913, 990, 1032, 1161, 1184, 1234
*912 -	By Senators Grady and Deeds: Relating to student growth assessment program	913	1200	1242, 1279-1280, 2649-2664	1279, 2664	2649	913, 1107, 1201, 1239-1240, 1242, 1280, 2665, 2933, 2958
913 -	By Senator Chapman: Relating to brain injury screening training	913	976				913, 976
*914 -	By Senators Roberts, Rucker, Taylor, and Willis: Relating to testing and attendance requirements for private, parochial, and church schools	913	1201	2665-2666	1280, 2666	2665	913, 1107, 1201, 1240, 1280, 2667, 2933
915 -	By Senator Roberts: Providing at least one counselor for every 250 students in public schools and public charter schools	913					914

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*916 -	By Senators Rucker and Hamilton: Recognizing authority of Agriculture Commissioner to intervene in matters that negatively affect agritourism	914	1073	1177-1178			914, 1074, 1105, 1107, 1159, 1177-1178
917 -	By Senator Rucker: Limiting civil liability for academic medical centers and teaching hospitals affiliated with medical and dental schools	914					914
918 -	By Senator Maynard: Establishing non-denominational chapel within WV State Capitol building	914					915
919 -	By Senator Maynard: Requiring CPS workers to audio record all interactions during visits	915					915
920 -	By Senator Maynard: Establishing Off-Highway Motor Vehicle Recreation Act	915					915
*921 -	By Senator Maynard: Creating WV Medical Services Oversight and Support Act	915	1073				915, 1074
*922 -	By Senator Maynard: Streamlining and enhancing early childhood education and child care services in WV	915	981				916, 982
923 -	By Senator Maynard: Creating WV Litter Control and Environmental Cleanup Act	916					916
924 -	By Senator Maynard: Creating WV Country Roads Act	916					917
*925 -	By Senator Maynard: Creating needs-based assessment for EMS	917	1067				917, 1067-1068
926 -	By Senator Maynard: Requiring WV Department of Education to include optional Firefighter One class as part of curriculum in grades nine through 12	917					917
927 -	By Senator Azinger: Providing county boards of education option to obtain professional or other liability insurance coverage from other insurance carriers licensed in WV	917					917

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
928 -	By Senator Maynard: Eliminating restriction to carry firearm in and on State Capitol Complex	917					918
929 -	By Senators Hart, Roberts, Rose, Rucker, and Helton: Restoring Private Schools Act of 2025	918					918, 990, 1243
930 -	By Senator Hart: Creating WV Constitutional Schools Act of 2025	918					918
931 -	By Senator Hart: Relating to King Coal Highway Economic Advisory Board Act	918					918
932 -	By Senator Chapman: Combining offices of Legislative Auditor and State Auditor	918					919
*933 -	By Senators Queen, Martin, and Helton: Creating Small Business Protection Act	919	1201	1281	1281		919, 990, 1202, 1240, 1243, 1282
*934 -	By Senators Queen and Woelfel: Relating to low-proof spirit alcohol products	919	998	1050-1058, 1097	1097		919, 990, 998, 1058, 1098
935 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplementing and amending appropriations to Department of Homeland Security	957					958
936 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplementing and amending appropriations to Department of Arts, Culture, and History	958					958
937 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Supplementing and amending appropriations to Department of Economic Development	958	1502		1707		958, 1502, 1644, 1707
938 -	By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]: Expiring funds from Department of Administration	1036					1036

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
939 -	By Senators Helton, Deeds, Fuller, Takubo, Weld, and Woelfel (originating in Senate Substance Use Disorder and Mental Health): Relating to testing for substance use disorder		1036	1184-1185, 1235, 2546-2548	1234, 2549	2546	1106, 1159-1160, 1235, 2549
940 -	By Senators Rucker, Barrett, Charnock, Hamilton, Helton, Jeffries, Maynard, Rose, and Thorne (originating in Senate Government Organization): Relating to Water Pollution Control Act		1081	1235-1236	1236		1081, 1103, 1148, 1178, 1236
941 -	By Senators Rose, Queen, Azinger, Charnock, Fuller, Hart, Helton, Jeffries, Phillips, Taylor, and Garcia (originating in Senate Energy, Industry, and Mining): Clarifying authority regarding dams designed by US Conservation Service		1128	2667	1282, 2668	2667	1186, 1240, 1283, 2668, 2933, 2962
942 -	By Senators Rose, Queen, Azinger, Charnock, Fuller, Hart, Helton, Jeffries, Phillips, and Taylor (originating in Senate Energy, Industry, and Mining): Modifying requirements for diesel-powered equipment in mines		1129	2669	1283, 2670	2668	1186, 1240, 1243, 1284, 1344, 2670, 2933, 2958
943 -	By Senators Stuart, Azinger, Bartlett, Charnock, Deeds, Fuller, Hart, Martin, Rose, Rucker, Tarr, and Taylor (originating in Senate Judiciary): Clarifying apiaries are protected agricultural operations		1202				1203, 1240
944 -	By Senators Stuart, Azinger, Bartlett, Charnock, Deeds, Fuller, Garcia, Hart, Helton, Rose, Rucker, Taylor, and Willis (originating in Senate Judiciary): Creating WV Child First Advisory Committee		1203	1284-1288	1288		1203, 1241, 1289

Number	TITLE OF SENATE JOINT RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
1 -	By Senator Oliverio: County Boundary Review Amendment	161					161
2 -	By Senators Roberts, Rose, Thorne, Hamilton, Clements, Morris, Deeds, Bartlett, Willis, Taylor, and Helton: Incorporation of Churches or Religious Denominations Amendment	161	349, 1204		1289		161, 214, 262, 318, 349, 359, 385, 548, 1204, 1241, 1290-1291
3 -	By Senator Woelfel: Cannabis Legalization Amendment	161					162
4 -	By Senators Tarr, Rose, Thorne, Hamilton, Helton, Hart, Morris, Jeffries, Phillips, and Woelfel: Protection of Right to Bear Arms Amendment	162					162, 215, 246, 262, 318, 336, 359, 401, 623, 860
5 -	By Senator Chapman: Bi-annual Legislative Session Amendment	162					162
*6 -	By Senators Rose, Thorne, Taylor, Helton, Rucker, Hart, Deeds, Bartlett, Azinger, Stuart, and Jeffries: Legislative Authority to Reduce or Eliminate Ad Valorem Taxes while Mandating Equal or Greater Revenue Replacement for Impacted Communities Amendment	228	607				228, 246, 359, 608, 622, 623, 655, 990
7 -	By Senators Rose, Thorne, Taylor, and Willis: WV Educational Governance Accountability Amendment	228					228, 246, 359
**8 -	By Senators Rucker, Azinger, Barrett, Chapman, Grady, Martin, Maynard, Rose, Takubo, Taylor, Weld, Morris, Helton, Thorne, Smith (Mr. President), Bartlett, Clements, Willis, Deeds, Hart, and Woodrum: Citizenship Requirement to Vote in WV Elections Amendment	240	308, 1204		1291		240, 262, 308, 318, 336, 1205, 1241, 1291-1292
9 -	By Senators Woelfel and Garcia: Constitutional Officer Term Limit Amendment	254					255

Number	TITLE OF SENATE JOINT RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
10 -	By Senators Woelfel and Garcia: State Senate and House of Delegates Term Limits Amendment	294					294
11 -	By Senators Morris, Barrett, Deeds, Fuller, Hamilton, Martin, Rucker, Thorne, and Willis: Sheriff's Succession Amendment	311					311
12 -	By Senator Garcia: Right of Reproductive Freedom with Protections for Health and Safety Amendment	413					414
13 -	By Senators Bartlett, Azinger, Smith (Mr. President), and Willis: Constitutional Officer Term Limit Amendment	433	818				433, 809, 819, 894
14 -	By Senators Barrett, Rucker, Willis, Smith (Mr. President), and Hart: Homestead Exemption Increase Amendment	534					534, 562, 597, 809, 1161
15 -	By Senator Charnock: Honorably Discharged Veteran's Property Tax Exemption Amendment	753					753
16 -	By Senators Barrett, Roberts, Clements, Grady, Hamilton, Jeffries, Maynard, Morris, Oliverio, Phillips, Queen, Takubo, Thorne, and Woodrum (originating in Senate Finance): Homestead Exemption Increase Amendment		1082		1148		1082, 1103, 1149-1153

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
1 -	By Senator Martin: Adopting Joint Rules of Senate and House of Delegates	36			53	55	52-53
2 -	By Senator Martin: Authorizing payment of joint expenses	53			53	55	53
*3 -	By Senators Martin, Jeffries, and Willis: US Army Warrant Officer Joseph Rose III Memorial Bridge	162	747		795	1393	163, 213, 262, 337, 796
4 -	By Senators Martin and Jeffries: Amending Joint Rules of Senate and House of Delegates	163			163	163	163, 262
5 -	By Senators Jeffries, Bartlett, and Willis: US Marine Corps Sergeant Robert Milford Payne Memorial Bridge	212	1256		1257	1393	212, 230, 233, 337, 1257
6 -	By Senators Deeds, Jeffries, Willis, and Woodrum: US Army Major Jerome Lee Workman Memorial Bridge	229	1129		1130	1355	229, 241, 262, 337, 1130
7 -	By Senators Stuart, Jeffries, Helton, Phillips, and Rose: Cohen Wade Craddock Memorial Road	229					229, 241, 262, 894
*8 -	By Senators Phillips, Tarr, Jeffries, Helton, and Willis: US Army E6 Dennis Charles Hurley Memorial Bridge	229	1257		1258	1393	229, 241, 262, 337, 1258
*9 -	By Senators Oliverio, Fuller, Taylor, Weld, and Jeffries: Becker Brothers, Eugene and Kermit Becker Memorial Bridge	229	1130		1131	1355	230, 241, 262, 1131
*10 -	By Senators Stuart, Jeffries, and Phillips: Donald Lucas & Ronald Lucas Memorial Bridge	230	1257		1258	1393	230, 241, 262, 1258
11 -	By Senators Stuart, Jeffries, and Phillips: Charlie Lee Jordan Memorial Bridge	230					230, 242, 262
12 -	By Senators Phillips and Jeffries: US Army Staff Sergeant Barney Warren Frazier Memorial Bridge	375					375, 396, 401

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
13 -	By Senators Phillips, Jeffries, and Woodrum: Purple Heart Trail	375					376, 396, 401, 809
14 -	By Senators Helton and Rucker: Requesting Joint Committee on Government and Finance study substance use disorder in WV	376	532				376, 396, 401, 422, 533, 622
15 -	By Senators Rucker, Rose, Barrett, Thorne, Deeds, Taylor, Smith (Mr. President), Fuller, and Woodrum: Opposing China's use of UN Resolution 2758 against Taiwan	414	747		748	810	414, 433, 442, 748, 763, 809
16 -	By Senators Phillips, Stuart, and Jeffries: US Army SPC Johnny Long Memorial Bridge	489	1129		1130	1355- 1356	489, 510, 990, 1130
*17 -	By Senators Garcia, Clements, Oliverio, Rose, and Jeffries: US Marine Corps PVT Arlie Haught Memorial Bridge	489	1130		1131	1356	489, 510-511, 990, 1131
18 -	By Senators Helton, Rose, Azinger, Martin, Maynard, Phillips, Rucker, Taylor, Thorne, Hart, and Willis: Recognizing intent to create WV Coal Renaissance Act	585	695		723		585, 612, 623, 710, 724
*19 -	By Senators Phillips, Stuart, and Jeffries: US Army ST4 Gregory Kent Stephens Memorial Bridge	698	1258		1258	1393	699, 724, 990, 1258
20 -	By Senator Smith (Mr. President): Recognizing and commending NCSL on its 50th anniversary	699			724	772	699, 724
21 -	By Senator Deeds: Requesting study of sexual assault crime rates in WV	919					919, 958
22 -	By Senator Rucker (originating in Senate Government Organization): Requesting Joint Committee on Government and Finance study promotion of recycling efforts in WV	957					957

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
23 -	By Senators Grady, Clements, Azinger, Bartlett, Deeds, Fuller, Garcia, Morris, Roberts, and Taylor (originating in Senate Education): Requesting Joint Committee on Government and Finance study WV Secondary School Activities Commission		1205		1223		1223
24 -	By Senators Rucker, Barrett, Charnock, Hamilton, Helton, Maynard, Phillips, Rose, Thorne, Willis, and Woodrum (originating in Senate Government Organization): Requesting Joint Committee on Government and Finance study issues regarding admission to residency programs		1692				1704-1705
25 -	By Senators Rucker, Barrett, Charnock, Hamilton, Helton, Maynard, Phillips, Rose, Thorne, Willis, and Woodrum (originating in Senate Government Organization): Requesting Joint Committee on Government and Finance study incentives and policies to fund public libraries		1692				1705
26 -	By Senators Azinger, Bartlett, Chapman, Charnock, Deeds, Fuller, Garcia, Hart, Helton, Martin, Rose, Rucker, Tarr, Taylor, Weld, Willis, and Stuart (originating in Senate Judiciary): Requesting Joint Committee on Government and Finance study smoke shops		2825				2826
27 -	By Senators Bartlett, Chapman, Charnock, Deeds, Fuller, Helton, Martin, Rose, Rucker, Tarr, Taylor, Weld, Willis, and Stuart (originating in Senate Judiciary): Requesting Joint Committee on Government and Finance study sale of alcohol		2826				2826

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
1 -	By Senator Martin: Adopting rules of Senate	12			35	35
2 -	By Senator Barrett: Appointment of Senate employees	35			35	35
3 -	By Senators Smith (Mr. President), 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, and Woodrum: Creating Select Committee on Substance Use Disorder and Mental Health	67		354	67, 354	67, 354
4 -	By Senators Smith (Mr. President) and Taylor: Recognizing public service of Frances Jones on Mineral County Day at Legislature	163			213	163, 233
5 -	By Senator Chapman: Designating February 14, 2025, as National Organ Donor Day at Legislature	212			231	212
6 -	By Senators Hamilton, Deeds, Garcia, Hart, Jeffries, Morris, Queen, Rose, Rucker, Tarr, Woodrum, and Woelfel: Commemorating 75th anniversary of Sport Fish Restoration Program	230			242	230, 246
7 -	By Senators Martin, Queen, Rucker, Helton, Smith (Mr. President), Clements, Jeffries, Hamilton, and Rose: Recognizing 153rd anniversary of Glenville State University	240			255	241, 262, 285
8 -	By Senators Morris, Hamilton, and Jeffries: Designating February 18, 2025, as WV Banker's Day at Legislature	241			256	241, 263
9 -	By Senators Rucker and Rose: Recognizing Court Appointed Special Advocates	280			295	280, 295, 300
10 -	By Senator Oliverio: Designating February 20, 2025, as Human Resources Day at Legislature	280			295	280, 295-296

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
11 -	By Senators Willis, Thorne, Taylor, Rucker, and Rose: Recognizing Cottage Hill Farm as WV outstanding family-owned Hereford cattle farm for 2024	280			296	280, 296, 300, 318
12 -	By Senators Clements, Takubo, and Jeffries: Designating February 26, 2025, as Corrections Day	353			376	353, 385, 401
13 -	By Senators Clements, Oliverio, Smith (Mr. President), Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Woodrum: Memorializing life of Wanda Porterfield Casto	353			376	353, 376-377
14 -	By Senators Barrett, Rucker, and Willis: Recognizing Leadership Berkeley	354			377	354, 401
15 -	By Senators Stuart, Woelfel, Rucker, and Jeffries: Designating February 27, 2025, Sexual Violence Awareness Day	376			396	376, 401
16 -	By Senator Rucker: Designating first full week in May as Tardive Dyskinesia Awareness Week	396			414	396
17 -	By Senator Taylor: Designating February 28, 2025, as Dental Hygienists' Day	396			414	396
18 -	By Senators Smith (Mr. President), Hart, Rose, Rucker, Morris, Clements, and Jeffries: Designating March 3, 2025, as Future Farmers Day	414			434	414, 443
19 -	By Senators Fuller, Woelfel, and Grady: Designating March 4, 2025, as Marshall University Day	433			462	433, 467
20 -	By Senators Oliverio, Garcia, Smith (Mr. President), Taylor, Clements, Rose, and Jeffries: Designating March 5, 2025, as West Virginia University Day	462			489	462, 498

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
21 -	By Senators Smith (Mr. President) and Rucker: Designating March 12, 2025, as WV Tourism Day	585			612	585, 623
22 -	By Senators Chapman, Weld, and Rucker: Recognizing 175th anniversary of Wheeling Hospital	585			612	585, 623
23 -	By Senators Smith (Mr. President) and Taylor: Memorializing life of Janie Lou White	585			612	585, 623
24 -	By Senators Smith (Mr. President), Jeffries, and Taylor: Designating March 13, 2025, as Tucker County Day	611			643	611, 655
25 -	By Senators Grady and Rucker: Designating March 13, 2025, as Wear Red Day	611			643	611, 655
26 -	By Senators Weld, Smith (Mr. President), Jeffries, and Rucker: Recognizing March 13, 2025, as National K9 Veterans Day	611			643	611, 656
27 -	By Senators Taylor, Martin, and Jeffries: Congratulating Taylor County Middle school football team for winning 2024 Mid-8 Championship	611			644	611, 656
28 -	By Senators Bartlett, Jeffries, Thorne, Grady, and Rucker: Designating March 14, 2025, as West Virginia State University Day	642			699	642, 710
29 -	By Senator Takubo: Designating March 14, 2025, as WV American Academy of Pediatrics Child Health Advocacy Day	642			699	642
30 -	By Senators Queen, Morris, and Jeffries: Recognizing 80th anniversary of Claude Worthington Benedum Foundation	642			699	643, 710
31 -	By Senators Weld, Jeffries, Grady, and Rucker: Designating March 14, 2025, as Suicide Prevention Awareness Day	643			700	643, 711

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
32 -	By Senators Weld, Woelfel, and Rucker: Designating March 17, 2025, as Domestic Violence Awareness Day	699			724	699, 733
33 -	By Senators Rucker, Thorne, Rose, Taylor, Smith (Mr. President), and Willis: Designating March 18, 2025, as WV Homeschool Day	723			754	723, 763, 809
34 -	By Senators Roberts, Deeds, Taylor, Bartlett, Rucker, Fuller, Smith (Mr. President), Woodrum, Hamilton, Morris, Charnock, and Willis: Expressing support for President Felix Tshisekedi and citizens of Democratic Republic of Congo	723			754	723, 754-755, 809
35 -	By Senators Rucker, Rose, Chapman, and Helton: Recognizing WV Mothers and Babies Support Program for its outstanding achievements	753			796	753, 809, 860
36 -	By Senators Deeds, Woelfel, Rucker, Rose, and Helton: Recognizing 100th anniversary of WV State Fair	753			796	753, 809, 860
37 -	By Senators Phillips, Barrett, Charnock, Hart, Queen, Rose, Stuart, Woodrum, and Fuller: Recognizing Energy Council on its 50th anniversary	795			832	795, 860
38 -	By Senators Maynard, Rose, and Hart: Designating March 20, 2025, as Mingo County Day	795			833	795, 833, 860
39 -	By Senators Chapman and Rucker: Designating March as Kidney Disease Awareness Month	832			882	832, 894
40 -	By Senators Smith (Mr. President) and Rucker: Designating March 21, 2025, as WV Arts Day	832			882	832, 882, 894
41 -	By Senators Thorne, Hamilton, Rose, Rucker, Woelfel, and Hart: Designating March 27, 2025, as Local Food and Farm Day	1000			1037	1000, 1083
42 -	By Senators Woodrum and Rucker: Designating March 31, 2025, as WV Nurses Day	1132			1163	1132

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
43 -	By Senator Takubo: Designating April 1, 2025, as Rural Health Day	1163			1223	1163
44 -	By Senators Oliverio, Smith (Mr. President), Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Woodrum: Memorializing life of basketball legend Jerry West	1222			1366	1222, 1270, 1321-1322, 1366-1367
45 -	By Senators Boley, Rucker, and Chapman: Designating April 3, 2025, as Women and Girls' Day	1270			1322	1270, 1344, 1388
46 -	By Senators Chapman, Oliverio, Garcia, and Rucker: Designating April 8, 2025, as Child Care Day	1401			1533	1401, 1703
47 -	By Senator Oliverio: Recognizing Brady Campbell as 2024 recipient of Earl S. Dillard Agent of the Year Award	1532			1705	1533
48 -	By Senator Jeffries: Designating April 9, 2025, as Cyberbullying Awareness and Prevention Day	1533			1706	1533, 1705-1706
49 -	By Senators Smith (Mr. President) and Rucker: Recognizing May 8, 2025, as World Red Cross Day and Red Crescent Day	1863			2205	1863, 2917
50 -	By Senators Phillips, Smith (Mr. President), Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Woodrum: Requesting federal government study waterway restoration to mitigate existing and future flooding	2678			2678	

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2002 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Establishing One Stop Shop Permitting Process	1209	1502		1708		1209, 1503, 1644, 1708, 2199, 2922, 2967
**2003 -	By Delegate Hanshaw (Mr. Speaker) [By Request of the Executive]: Prohibiting Cell phones in class	895	1503	1644	1709	2199	895, 1504, 1644, 1709, 2922, 2965
*2008 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Executive Branch Reorganization	598	1358	1533-1587, 1588-1589, 2550-2551	1588, 2551	2549	599, 1359, 1412, 1587-1589, 2551, 2938, 2958
2009 -	By Delegate Phillips (originating in House Government Organization): Relating to the merging and reorganizing of the executive branch	599	1358	1590-1627, 2552-2553	1627, 2553	2552	600, 1359, 1412, 1627-1629, 2554, 2938, 2958
2010 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Real Estate Broker Office Requirement	1298					1298
*2011 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: To supplement, amend, and increase an existing item of appropriation in the aforesaid accounts for the designated spending unit for expenditure during the fiscal year 2025	1298	1399	1645, 2554	1710, 2555	2554	1298, 1399, 1645, 1710, 2555, 2924, 2945
*2013 -	By Delegate Hanshaw (Mr. Speaker) [By Request of the Executive]: Transfer of employees to classified exempt service	1210	1359	1629-1630	1629	1853	1210, 1359, 1412, 1630, 2920, 2958
*2014 -	By Delegates Hanshaw (Mr. Speaker), Riley, Fehrenbacher, Anderson, Zatezalo, Akers, and Hornbuckle [By Request of the Executive]: Certified Microgrid Program	1246	1693	2292-2326, 2327, 2747-2778	2326, 2778	2747	1247, 1808, 1993, 2205, 2322-2328, 2778, 2924, 2967

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2015 -	By Delegate Rohrbach: Relating to liability or other insurance coverage provided by the Board of Risk and Insurance Management to any entity for which such coverage is permissive under state code	1298					1298
2024 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Updating the meaning certain terms used in West Virginia Personal Income Tax Act	234			235		234-236, 282, 339
2025 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Updating terms in the Corporation Net Income Tax Act	236			237		236-237, 282, 339
*2026 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle: Budget Bill	1394		1710, 2329-2542	1711, 2542	2329	1394, 1645, 1711, 2543, 2925, 2947-2953
*2027 -	By Delegates Pinson, Burkhammer, and B. Smith: Relating to changing circumstances for when a child may be removed from a foster home	1299					1299
2030 -	By Delegate Holstein: Modifying compulsory housing for hotels and motels	810					810
*2042 -	By Delegates Burkhammer, Hornby, Kimble, and Heckert: Relating to allowing a guardian ad litem to request the appointment of a court appointed special advocate	360	582	649-654, 704, 1394-1395	704, 1395	1394	360, 620, 654, 705, 1396, 2195, 2958
**2043 -	By Delegates Burkhammer and Horst: Relating to use of dog and/or drones for tracking or locating mortally wounded deer, elk, turkey, wild boar or bear	1108			1237		1108, 1185, 1237, 1343, 1691
*2047 -	By Delegates Burkhammer and Dillon: Prohibiting cameras and recording devices in bedrooms and bathrooms of foster children	402					402

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2052 -	By Delegates Criss, Heckert, and Horst: Eliminating the requirement that the apprenticeship training tax credit base be limited to wages paid to apprentices in the construction trades	1108					1108
*2053 -	By Delegates D. Smith and Heckert: Relating to including the United States Space Force in the definition armed forces	360	550		645		361, 550, 596, 619, 645, 762, 868
*2054 -	By Delegates W. Clark, Maynor, and Masters: Relating to liability of vendors in private farmers markets	1299	1693, 1830	1994-2050, 2206	2206	2914	1300, 1694, 2050, 2207, 2214-2215, 2922, 2962
*2056 -	By Delegate D. Smith: Relating to concurrent juvenile jurisdiction on military installations	861					861
2065 -	By Delegates Sheedy, Cooper, Horst, Crouse, Clay, D. Smith, Maynor, Hornby, Vance, Stephens, and Hillenbrand: To allow Gold Star parents to receive one free Gold Star vehicle registration for personal use	423					423
*2066 -	By Delegates Akers, Hall, D. Smith, T. Howell, Drennan, Leavitt, Kyle, Heckert, Hornby, and Kelly: Creating a crime for the destruction of first responder equipment	361	1831	2050-2051	2207	2670	361, 1831, 2051, 2207, 2938, 2965
*2067 -	By Delegates Coop-Gonzalez, Horst, Hillenbrand, Linville, Phillips, Foggin, T. Clark, Anders, McGeehan, Kimble, and Steele: West Virginia Firearms Liability Clarification Act	811	1358	1412-1414, 1631	1631	1853	811, 1359, 1414, 1631, 2920, 2958
*2111 -	By Delegates W. Clark and Hall: Establishing the Uniform Mortgage Modification Act	968					968
*2117 -	By Delegates D. Smith, Hornby, Chiarelli, Phillips, Hite, Crouse, B. Smith, Funkhouser, and Hillenbrand: Relating to when Mail In Ballots are Due	520					521

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2120 -	By Delegates D. Smith, Fehrenbacher, and Hornby: Relating to forms and disclosures to the Ethics Commission	1210	1522	1737-1756, 1863	1863	2569-2570	1211, 1523, 1756, 1864, 2926, 2976-2977
*2121 -	By Delegates D. Smith, Cooper, Criss, Heckert, Hillenbrand, McGeehan, Sheedy, Hite, Hornby, Gearheart, and Zatezalo: Deceased Disabled Veteran Real Property Exemption for Widowed Spouses	1108	1360, 1831	2051-2055, 2208	2208	2671	1109, 1360, 1832, 2055, 2208, 2938, 2962
*2123 -	By Delegates D. Smith, Akers, Ellington, Rohrbach, Hanshaw (Mr. Speaker), Gearheart, Maynor, Worrell, Hillenbrand, Cooper, and Zatezalo: Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse	403	1317	1376-1381, 1949	1402, 1950	1949	403, 1318, 1381, 1402, 1950, 2938, 2958
*2129 -	By Delegates Butler, Kump, Pinson, Kimble, Funkhouser, Ridenour, Horst, Heckert, and Dillon: Creating the Parents Bill of Rights	565	748	891	924	1356	565, 803, 852-855, 890-891, 924, 1515, 2743
*2131 -	By Delegates Holstein and Funkhouser: Relating to changing the process of election litigation	735					735
*2143 -	By Delegates Statler, Ellington, and Toney: Require elementary school teachers to be certified in the science of reading	735					735
2145 -	By Delegate Criss: Relating to terminating the authority of the Director of the Purchasing Division to impose a certain annual fee upon vendors	1109					1109
*2152 -	By Delegates Burkhammer, Leavitt, and Hott: Prompt Payment Act of 2025	1247	1504		1712		1247, 1504, 1645, 1712, 2920, 2958
*2156 -	By Delegate G. Howell: Relating to time limits imposed on the Division of Highways to grant a highway entrance permit	1211					1211

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2157 -	By Delegate Burkhammer: Provide one trip temporary vehicle permits to be purchased and printed online	424	1259	1324-1325, 1367	1367	1522	424, 1259, 1325, 1368, 2195, 2958
*2158 -	By Delegates D. Smith, Crouse, Worrell, Heckert, Riley, Moore, Drennan, Young, T. Howell, and Mazzocchi: Relating to removal of a sunset clause for the West Virginia spay and neuter program	498	819	926-929			499, 819, 893, 929, 961
2159 -	By Delegates Criss and Heckert: Relating to the assessment of interest on overpayments by the Bureau for Medical Services	1211					1211
*2164 -	By Delegates Statler, Ellington, Pinson, Hornby, Pritt, D. Cannon, Heckert, Holstein, and Funkhouser: To allow for public and private schools in West Virginia to employ security personnel	735	1259, 1399	1756-1779, 2288, 2731-2733	2288, 2733	2731	736, 1260, 1399, 1645, 1779, 1864, 2208, 2290, 2733, 2938, 2965
2165 -	By Delegates J. Cannon, Chiarelli, Holstein, Riley, Cooper, Maynor, Hornby, Willis, and Young: Allowing disabled purple heart recipients park free at municipal metered parking spaces	736	1505	1646-1657, 1713	1712	2199	736, 1505, 1657, 1713, 2922, 2958
*2167 -	By Delegates Ellington, Statler, Willis, and W. Clark: Relating to public charter schools code provisions	1211	1360	1864-1877, 1878	1878	2570	1212, 1361, 1415, 1657, 1780, 1878, 2922, 2958
*2170 -	By Delegates Statler, Heckert, and Funkhouser: Allowing volunteer fire departments to use fire protection funding for certain purchases	424					424
*2172 -	By Delegate Worrell: Relating to adding an athletic trainer to the Board of Physical Therapy	736	1260		1368		736, 1260, 1328, 1368, 2195, 2958
*2190 -	By Delegates G. Howell, Hillenbrand, W. Clark, and B. Smith: Including Potomac State College in the definition of community and technical college education program for participation in the "Learn and Earn Program"	624	1361				624, 1361

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2205 -	By Delegates Steele and Young: Relating to microreactor development	1109					1109
**2217 -	By Delegate Steele: Relating to penalties for conspiracy to commit murder	468	1317	1381-1382	1402	1704	469, 1318, 1382, 1402, 2195, 2958
*2222 -	By Delegate D. Smith: Relating to authorizing certain agencies of the Department of Administration to promulgate legislative rules	443	637		758		444, 708, 730, 758-759, 811, 858, 1020
*2233 -	By Delegate D. Smith: Authorizing the Department of Environmental Protection to promulgate legislative rules	625	1261		1369		625, 1261, 1328, 1369, 2195, 2958
*2267 -	By Delegate D. Smith: Authorizing Department of Revenue to Promulgate Legislative Rules	566	1318, 1832	2055-2056, 2191-2193, 2829-2831	2209, 2832	2733-2734, 2829	566, 1318, 1832, 2055-2058, 2193, 2209, 2734, 2741-2742, 2744, 2829-2832, 2938, 2962
*2331 -	By Delegate D. Smith: Relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules	444	786	891-892, 1396-1397	925, 1397	1396	445, 856, 892, 925, 1398, 2195, 2959
2344 -	By Delegates J. Cannon, Chiarelli, Holstein, Browning, and Eldridge: Relating generally to traffic safety	424	1523	2058, 2210	2210	2779	425, 1523, 1780-1782, 2058, 2210, 2938, 2959
*2347 -	By Delegates Worrell, Hite, Heckert, Chiarelli, Miller, Petitto, Hamilton, and Pushkin: The Joel Archer Substance Abuse Intervention Act	625	1950	2292, 2580-2581	2580	2914	626, 1951, 2292, 2581, 2926, 2927, 2969
**2349 -	By Delegates Drennan, Rohrbach, Butler, Crouse, Dittman, T. Howell, Moore, Petitto, Amos, Masters, and Hite: To offer long-acting reversible contraception to patients receiving methadone and suboxone at the treatment facility for the methadone and suboxone	895	1505, 1833				895, 1505, 1833, 2058, 2211

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2351 -	By Delegates Burkhammer and Heckert: Relating to compensation for panel attorneys	1212	1506, 1833	2211	2212	2779	1212, 1506, 1834, 2059, 2212, 2938, 2978-2979
*2354 -	By Delegates Burkhammer, Masters, Pritt, Worrell, Hite, Mazzocchi, Brooks, and Horst: Banning certain products from food in West Virginia	425		493, 683-684	494, 684	682	425, 465, 493, 684-685, 806, 932
2358 -	By Delegates Kelly, Masters, and Funkhouser: Relating to postmortem examinations	736	1834	2059, 2213	2213	2779	736, 1834, 2059, 2213, 2922, 2959
2360 -	By Delegate Kelly: Clarifying the victims of crimes against law-enforcement officers	499	1317	1383, 1403	1403	1704	499, 1318, 1383, 1403, 2195, 2959
2362 -	By Delegate Kelly: Relating to recognizing the law-enforcement powers of correctional officers employed by the Division of Corrections and Rehabilitation	469					469
*2363 -	By Delegates Kelly and Heckert: Clarifying the groups of persons to whom the criminal prohibitions related to child pornography are inapplicable when such persons are performing their official or employment duties	361					361
*2377 -	By Delegates Burkhammer, Mazzocchi, Hite, Hamilton, Pushkin, Miller, Pinson, Petitto, Chiarelli, Heckert, and Worrell: Relating to child welfare	1109					1110
*2382 -	By Delegates Chiarelli, Hornby, Willis, McCormick, Holstein, Heckert, Shamblin, B. Smith, Hillenbrand, and Rohrbach: Camping ban on certain public property	626	873				627, 929, 966-967
2387 -	By Delegates Horst, Funkhouser, D. Smith, Coop-Gonzalez, Hornby, Sheedy, Worrell, Jeffries, Maynor, W. Clark, and Crouse: To repeal the class A1 Pistol stamp for hunting	737	1028		1179		737, 1028, 1058, 1103, 1154, 1179, 1296, 1691

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2389 -	By Delegates W. Clark, Crouse, Moore, Drennan, Worrell, Fehrenbacher, Jeffries, Burkhammer, Hite, Riley, and Pritt: Relating to Dietitian Licensure Compact	895	1524				897, 1524
*2393 -	By Delegates G. Howell and B. Smith: Relating to requiring certain reporting from the Mountaineer Trail Network Authority each year	861					862
2397 -	By Delegates Hillenbrand, Funkhouser, Masters, Ridenour, Horst, Brooks, Hite, Moore, Mazzocchi, Cooper, and B. Smith: Prevent immediate family members from acting in a fiduciary capacity for the same governmental authority	862	1261	1329-1330, 1370, 1828-1830	1370, 1830	1827	862, 1262, 1330, 1370, 1830, 2938, 2959
*2399 -	By Delegates Hillenbrand, Horst, Masters, Ward, Mazzocchi, Cooper, and Kimble: Relating to the taxation of managed timber	1110	1319		1404		1110, 1319, 1383, 1404, 2195, 2959
2402 -	By Delegates Burkhammer, Mazzocchi, Worrell, Hite, Miller, Petitto, Horst, and Kimble: Relating to providing access to medical records; providing access to a minor's medical record	627	873, 1694	1879-1881, 1882	1882	2779	627, 929, 967, 1015, 1058, 1104, 1160, 1185, 1241, 1293, 1782, 1882, 2939, 2959
*2410 -	By Delegates Hornby, Chiarelli, Horst, Crouse, Maynor, Willis, and Ward: Safeguard the Right-To-Try Cutting-Edge Medicine Act	1300					1300
*2411 -	By Delegates Hornby, Ellington, Horst, D. Smith, Chiarelli, Willis, Kyle, Crouse, Holstein, Maynor, and Statler: To provide and change graduation requirements and change duties relating to academic content standards	627	875	1104, 1154, 1947-1948	1154, 1948	1947, 2570	627, 930, 967, 1015, 1058, 1104, 1155, 1948, 2939, 2967

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2434 -	By Delegates Hornby, Maynor, Crouse, Willis, Ward, Chiarelli, Holstein, Funkhouser, and Kimble: Relating to establishing the Stop Squatters Act	499	1361	1415-1419, 2556	1632, 2557	2555	500, 1362, 1419, 1632, 2557, 2939, 2965
2437 -	By Delegates Akers, Pritt, Chiarelli, Horst, McCormick, Kyle, T. Howell, Phillips, D. Smith, Maynor, and Heckert: Clarification of penalties for offenses involving Fentanyl	500					500
**2441 -	By Delegate Street: To make those who fail drug test ineligible for unemployment	521	748	889	889	1356	521, 804, 855, 889, 1515, 2743
2444 -	By Delegates Criss and Maynor: Relating to limiting financial records of limited video lottery permittees that are subject to examination by Lottery Commission	521	1504		1713		521, 1504, 1658, 1714, 2920, 2959
*2451 -	By Delegates Hornby, Horst, Chiarelli, Willis, Kyle, Green, Brooks, Crouse, and Maynor: To facilitate the creation of home-based businesses	862	1693, 1951	1951-1965, 2291, 2891-2905	2291, 2905	2891	862, 1694, 1965, 2213, 2291, 2905, 2939, 2962
*2456 -	By Delegates Riley, Pinson, Funkhouser, Phillips, Linville, Burkhammer, McGeehan, Kimble, Drennan, Worrell, and Hott: Pregnancy Support	1110					1110
*2473 -	By Delegates Criss and Rohrbach: Increasing and maintaining the bracketed tax rates on the privilege of establishing or operating a health maintenance organization	627					628
2479 -	By Delegates Maynor, Petitto, J. Cannon, Hornby, Holstein, Chiarelli, Browning, Jeffries, Gearheart, Roop, and Dean: Relating to Management and control of county authority vested in board	897	1524	1883	1882	2779	897, 1525, 1782, 1883, 2939, 2959

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2484 -	By Delegates Crouse, Akers, Heckert, Drennan, Phillips, Hornby, Worrell, Mallow, Kelly, and Chiarelli: Clarifying the probationary period for paid municipal firefighters	1111	1502		1714		1111, 1503, 1658, 1714, 2920, 2959
*2491 -	By Delegates Crouse, D. Smith, Jennings, Moore, Horst, Heckert, Phillips, Hornby, Street, and Kyle: Relating to conditions on holding online raffles	1300	1525		1883		1301, 1525, 1782, 1883, 2935, 2962
*2499 -	By Delegate Pritt: Training course for principals in public schools; informing teachers of their rights and protections; IEP format	968	1362	1419-1421, 1633	1633	2200	968, 1362, 1421, 1633, 2922, 2965
*2501 -	By Delegate Roop: Relating to exemptions of property in bankruptcy proceedings	628					628
*2502 -	By Delegates Hillenbrand, Crouse, Butler, Shamblin, Hall, Sheedy, Cooper, Linville, Brooks, Rohrbach, and Holstein: Establishing limitations on billing practices of Internet or telecommunications providers that fail to provide subscribed customers service for five or more days	897					897
2511 -	By Delegates Linville, Hillenbrand, Sheedy, Clay, Butler, Hite, Ridenour, D. Smith, and Roop: Relating to charitable bingo and alcohol sales and consumption while such bingo is taking places	500	1693	2059-2063, 2214	2214	2914	500, 1694, 1835, 2063, 2214, 2939, 2962
*2513 -	By Delegates Toney and Vance: Enhancing training requirements for county boards of education members	737	1206	1293-1294, 1323	1322	1398	737, 1206, 1241, 1294, 1323, 1515, 2743
*2515 -	By Delegates Ellington, Statler, Hornby, Crouse, Willis, Dittman, Toney, Campbell, Pritt, and Coop-Gonzalez: Relating to elementary behavior intervention and safety	445					446

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2516 -	By Delegates Ellington, Statler, Hornby, Crouse, Willis, Dittman, Toney, and Campbell: To repeal antiquated and inoperative portions of code	738	1082		1179		738, 1106, 1160, 1180, 1296, 1691
*2528 -	By Delegates Brooks and Pritt: To permit students in Christian schools at the elementary and middle school level to participate in county level sport tournaments	1188	1695	1884	1884	2570	1188, 1695, 1782, 1884, 2939, 2962
*2548 -	By Delegates Hornby, Willis, Riley, Ellington, McGeehan, Phillips, Statler, Akers, Maynor, Chiarelli, and Heckert: Clarifying duties of state superintendent regarding rule implementation	862	1206		1293		863, 1206, 1242, 1293, 1515, 2743
*2551 -	By Delegates Foggin, Roop, and Pritt: Increase criminal penalties for trespassing livestock	1301					1301
*2560 -	By Delegates Linville, Browning, Chiarelli, Flanigan, and Dillon: Creating Infrastructure Ready Jurisdictions	567					567
2566 -	By Delegate Riley: Relating generally to allowing the Supreme Court of Appeals discretion to create uniform pay scales for all levels of judicial support staff	1302					1302
*2571 -	By Delegates Brooks, Green, and Foggin: Create mechanism for towing companies in WV to quickly access owner information	1212	1506				1213, 1507
2575 -	By Delegates Hall, Pinson, Drennan, Stephens, Heckert, Petitto, Worrell, Dittman, W. Clark, and Hamilton: Relating to the establishment of a full-time Dementia Services Director position	1213	1507, 1835	2064	2215	2779	1213, 1507, 1835, 2064, 2215, 2924, 2969
*2576 -	By Delegates Statler, Chiarelli, Worrell, Amos, Lucas, Linville, Riley, Ellington, Maynor, J. Cannon, and McCormick: NIL Protection Act	1248	1696		2189		1248, 1696, 1782-1783, 1884, 1984, 2188-2190, 2935, 2968

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2595 -	By Delegates Riley, Ellington, Maynor, J. Cannon, Fehrenbacher, McCormick, Rohrbach, Chiarelli, Statler, Browning, and Lucas: Non Profit Athletics Act	1248	1696		2191		1249, 1696, 1783, 1885, 1984, 2191, 2939, 2968
*2634 -	By Delegates Vance, Brooks, Toney, Hornby, D. Smith, Jeffries, Phillips, Ferrell, Dean, Kimble, and Martin: To double the criminal penalty for anyone found guilty of sexual assault on a minor	628	1836	2064-2068, 2216	2216		628, 1836, 2068, 2216
2635 -	By Delegates Vance, Hornby, Brooks, Toney, Hanshaw (Mr. Speaker), Rohrbach, D. Smith, Jeffries, Ferrell, Dean, and Riley: To ensure that classroom sizes are equal without losing a teachers aide	738					738
2645 -	By Delegates Gearheart, D. Smith, Ridenour, Ellington, Pritt, Brooks, and Butler: Requiring certain non-discretionary procedures be strictly complied with by the West Virginia Parkways Authority before tolls, rents, fees or charges may be increased	1189	1507				1189, 1508
2646 -	By Delegates Gearheart, Canterbury, Hornby, Pritt, Ellington, Fogglin, Drennan, Butler, Brooks, Ridenour, and Funkhouser: To permit students in eighth and ninth grade to attend summer school in order to raise their grades and establish academic eligibility to play sports in the fall	1016					1016
*2653 -	By Delegates Akers and Lewis: Updating the West Virginia Law Institute	521					522
2659 -	By Delegates W. Clark, D. Smith, Riley, Kyle, Hall, Willis, and Lucas: Adding a special permit for a non-profit entity to be a qualified permit holder in a private outdoor designated area	738					738

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2678 -	By Delegates Gearheart, Canterbury, Hornby, Ellington, Brooks, Funkhouser, Drennan, Butler, Ridenour, and Dillon: Relating to school zones of public or private schools	567	1259	1330-1334, 1371	1371	2914	567, 1259, 1334, 1371, 2939, 2959
*2679 -	By Delegates Pritt and Flanigan: To allow for the reinstatement of retired Deputy Sheriffs to their former departments	969					969
*2695 -	By Delegates Maynor, Roop, Brooks, Toney, Willis, and Hornby: Raleigh and Mason Counties Economic Opportunity Development Districts	1213	1836	2275-2282, 2283, 2824	2283, 2825	2823	1213, 1837, 2068, 2217, 2283, 2825, 2939, 2962
*2702 -	By Delegates Akers, Maynor, and Funkhouser: Relating to vacancies in offices of state officials	739					739
2709 -	By Delegates Akers, Crouse, Leavitt, Petitto, Shamblin, Hall, Drennan, Jeffries, J. Cannon, and Hornby: Permitting a voter with a change of address to vote in his or her new precinct without having to cast a provisional ballot	522	1261	1334-1340, 1372	1372	1522	522, 1262, 1340, 1372, 2195, 2959
*2710 -	By Delegates Akers and Fehrenbacher: Truth in Giving	567	1837, 1965				568, 1838, 1965
*2711 -	By Delegates Akers, Criss, Hott, Barnhart, and Funkhouser: Relating to the repeal of the common law rule against perpetuities by extending it to 1,000 years for all trusts	629	1363		1634		629, 1363, 1421, 1634, 2920, 2959
*2718 -	By Delegates McGeehan, Hanshaw (Mr. Speaker), Masters, Worrell, Horst, Funkhouser, J. Cannon, Hornby, and Leavitt: Relating to creating a State Advisory Council on Establishing a Military College	811	1838	2217	2218	2780	811, 1839, 2069, 2218, 2922, 2959

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2720 -	By Delegates Vance, Brooks, Toney, Green, Rohrbach, Holstein, Hornby, Bridges, Dean, Jeffries, and Mazzocchi: To create the Southern Coalfield Resiliency and Revitalization Program	1302					1303
2736 -	By Delegates Linville, Hillenbrand, Parsons, Hite, Bridges, Hornby, Kyle, and Eldridge: Relating generally to Underground Facilities Damage prevention	1111					1111
2742 -	By Delegates Riley, Linville, D. Cannon, and Eldridge: Relating to creating limited waiver from certificate of public convenience and necessity requirement for certain water or sewer services projects	739	1526		1885		739, 1526, 1783, 1886, 2570, 2922, 2959
*2752 -	By Delegates Crouse, Drennan, Dean, Horst, White, Brooks, Clay, D. Cannon, and Hott: Relating to motorcycle safety	812	1358	1421-1423	1635	2200	812, 1359, 1423, 1635, 2922, 2959
*2755 -	By Delegates Hornby, Ellington, Holstein, Akers, Maynor, Willis, Kyle, Riley, Street, Chiarelli, and Phillips: To provide that the West Virginia Board of Education may promulgate rules or policies to be submitted to the Legislature for review	863	1526	1783-1791, 1886	1886	2780	863, 1526, 1791, 1887, 2939, 2969
*2761 -	By Delegates Akers, Maynor, Barnhart, Criss, D. Cannon, and Funkhouser: Relating generally to magistrate courts	629	1363		1635		629, 1363, 1423, 1635, 2920, 2959
2773 -	By Delegates Ellington, Willis, Dittman, Jennings, Pritt, Hornby, Toney, Statler, Crouse, T. Clark, and Mallow: Higher Ed Rules	863	1363		1636		863, 1364, 1423, 1636, 2200, 2922, 2959
2774 -	By Delegates Browning, Stephens, Lucas, Dean, Campbell, Leavitt, Foggin, W. Clark, Riley, Ferrell, and Hornby: Coach Protection Act	629					629

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2776 -	By Delegates Crouse, Moore, Pinson, Drennan, Brooks, Phillips, Hornby, Amos, Petitto, and Lucas: Requiring Department of Health to report positive Alpha Gal tests to CDC	897	1508	1985-1992	1992		898, 1508, 1658, 1714, 1887, 1993, 2907
*2777 -	By Delegates Crouse, Burkhammer, White, Petitto, Lucas, Hornby, D. Cannon, McGeehan, and Hillenbrand: Relating to removing requirements to submit certain evidence on behalf of home-schooled children	1303					1303
2781 -	By Delegates Hornby, White, Akers, Holstein, Crouse, Mallow, Ellington, Masters, McGeehan, and Willis: Relating to the meaning of residence for the Purpose of Bail	630					630
*2787 -	By Delegates Hott, Riley, Green, Kelly, Barnhart, Hall, Fehrenbacher, Browning, Chiarelli, Street, and Lucas: To permit the county commission of each county to lease, rent or to permit the use of a county owned wireless tower or any portion thereof, with exceptions	1303					1303
*2797 -	By Delegates Statler and Chiarelli: Relating to who may diagnose post-traumatic stress disorder as a compensable injury or disease under workers compensation	898	1509	1658-1662, 1715, 2707	1715, 2708	2707	898, 1509, 1662, 1715, 2708, 2939, 2963
2802 -	By Delegates Pinson, Burkhammer, Kump, Funkhouser, Maynor, Hornby, Holstein, Kelly, and Akers: Relating to in-service training credits for law-enforcement officers	863	1693, 1839		2218		864, 1694, 2069, 2218, 2935, 2959
*2816 -	By Delegates Funkhouser, Ridenour, Horst, J. Cannon, Linville, and Masters: Relating to clarifying secondary sources are not the law and public policy of West Virginia in certain instances	1213	1837				1214, 1838

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2835 -	By Delegates Linville, J. Cannon, Phillips, Hillenbrand, Bridges, Holstein, and Moore: Relating to creating the West Virginia Infrastructure Deployment Clearinghouse	898					898
*2836 -	By Delegates Rohrbach, Hornby, Amos, Funkhouser, Browning, Chiarelli, Holstein, Bridges, Pritt, Pinson, and Dean: Relating to wild animal rehabilitation permits	1189	1319, 1839		2219		1189, 1319, 1840, 2069, 2219, 2939, 2963
*2856 -	By Delegates Linville and Hillenbrand: Providing for conservation easements to allow for broadband through easements either directly or under a conservation plan	898					899
*2866 -	By Delegate Burkhammer: Relating to fees and charges for municipality provided fire services	1303	1509	1716-1724	1724	2200	1510, 1662, 1724, 2939, 2963
2867 -	By Delegates Roop, Drennan, Marple, Foggin, Pritt, Cooper, Brooks, Rohrbach, Kump, Canterbury, and Maynor: Relating to Small Estates	630	1361	1424-1434, 1637	1637	2200	630, 1362, 1434, 1637, 2923, 2959
*2871 -	By Delegates Funkhouser, Hornby, Holstein, Masters, W. Clark, Chiarelli, Hillenbrand, Mallow, Horst, Roop, and Kump: Relating to the crime of negligent homicide	568	1364	1434-1485, 1638, 2558-2559	1638, 2559	2557	569, 1364, 1485, 1638, 2560, 2939, 2959
*2878 -	By Delegates Holstein, Dillon, Chiarelli, and Eldridge: To require railroad companies to provide alternative entry and exit ways	899					899
*2880 -	By Delegates Burkhammer, Kimble, Mazzocchi, Pinson, and Petitto: Relating to parent resource navigators	1059	1696	1887-1917, 1918, 2833-2855	1918, 2856	2832	1059, 1696, 1791, 1919, 2740-2741, 2744, 2832-2856, 2939, 2968
*2881 -	By Delegates Burkhammer, Pinson, Kimble, Mazzocchi, and Funkhouser: Relating to the makeup of the State Police Child Abuse and Neglect Investigations Unit	812					812

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*2889 -	By Delegates Criss, Barnhart, and Hott: To permit a fairness hearing exemption to the registration requirements of the Uniform Securities Act	1111	1510	1662-1670, 1725	1725	2200-2201	1112, 1510, 1670, 1726, 2923, 2965
*2892 -	By Delegates Shamblin, Hall, Chiarelli, Heckert, Akers, T. Howell, and Funkhouser: Relating to pedestrians standing in or near the right of way	1249					1249
*2894 -	By Delegates Ridenour, Butler, Ward, Jennings, Hillenbrand, Mallow, Kimble, Maynor, Phillips, Akers, and Steele: Prohibiting human trafficking of illegal aliens	1214					1214
*2897 -	By Delegates Ellington, Statler, Hornby, Crouse, Willis, Dittman, Toney, and Campbell: Permitting the Legislative Auditor to conduct periodic performance and financial audits of the West Virginia Department of Education	1214	1364		1638		1215, 1365, 1485, 1638, 2920, 2960
2942 -	By Delegates Street, Zatezalo, Anderson, and Fehrenbacher: Administration of the West Virginia Department of Environmental Protection Design-Build Pilot Program	569	749, 1400	1791-1793, 1919	1919	2915	570, 749, 1400, 1670, 1793, 1920, 2939, 2960
2943 -	By Delegates Zatezalo, Anderson, Street, and Fehrenbacher: Administration of the West Virginia Hazardous Waste Management Act	570	749, 1400		1727		570, 750, 1401, 1671, 1727, 2920, 2960
2948 -	By Delegates Ferrell, DeVault, Sheedy, Pritt, Phillips, Linville, and Hall: Relating to obtaining title to abandoned or junked motor vehicles abandoned on the property or place of business of an automobile dealer	969	1527				969, 1527
*2958 -	By Delegates Chiarelli, McCormick, Statler, Rohrbach, Browning, Lucas, and Amos: To clarify what constitutes trespassing at an institution of higher education	1215					1215

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2960 -	By Delegates McCormick, Jennings, Statler, Chiarelli, and Street: Allowing the Division of Highways to contract out snow removal to private companies on secondary roads in Monongalia and Preston counties	1016	1510	1671-1672, 2560	1727, 2561	2560	1016, 1511, 1672, 1727, 2561, 2939, 2968
*2961 -	By Delegates Ridenour, Maynor, Ward, Butler, Hillenbrand, Mallow, Roop, Jennings, Petitto, Akers, and Phillips: To amend the law concerning ownership and possession of real property	1304	1693, 1840	2069-2073, 2220	2220	2915	1304, 1694, 2073, 2220, 2935, 2963
*2963 -	By Delegates Criss, Barnhart, Hott, and Kyle: To ensure that the survivor of a merger, reorganization, purchase, or assumption of liabilities of a bank chartered by West Virginia is insured by the Federal Deposit Insurance Corporation	1112	1840		2221		1112, 1841, 2073, 2221, 2940, 2965
*2964 -	By Delegates DeVault, Mallow, Ferrell, and Fehrenbacher: Amending residency requirements for regional airport boards	1304			1728		1304, 1387, 1485, 1639, 1728, 2920, 2960
*2973 -	By Delegates Campbell, Gearheart, Ferrell, Stephens, T. Clark, Eldridge, McCormick, Moore, Pritt, and Heckert: Regarding venue for legal actions against the West Virginia Secondary School Activities Commission	1304					1305
*2978 -	By Delegate Riley: Relating generally to the Municipal Bond Commission governance	1215					1216
*2987 -	By Delegates Linville, J. Cannon, Moore, and Pritt: Relating to the Consumer Data Protection Act	1059					1060
3000 -	By Delegate W. Clark: Relating to agency changes and updates to the West Virginia Commercial Feed Law	1016	1527	1793-1803, 1920	1920	2915	1016, 1528, 1803, 1920, 2935, 2963

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3001 -	By Delegates B. Smith, Moore, Cooper, Phillips, Gearheart, Sheedy, Ferrell, Funkhouser, W. Clark, Parsons, and Pritt: Relating to county parks and recreation commission	1112					1112
*3012 -	By Delegates Zatezalo, Criss, Anderson, and McGeehan: Relating to Lottery Money Distribution	1113	1400		1728		1113, 1401, 1672, 1728, 2920, 2965
*3013 -	By Delegates Campbell, Brooks, Ferrell, Jennings, Jeffries, Cooper, Canterbury, Pinson, Browning, Parsons, and J. Cannon: Relating to open captioning for motion pictures	1249					1249
*3014 -	By Delegates Shamblin, Hanshaw (Mr. Speaker), Hall, J. Cannon, and Rohrbach: Relating generally to liability of hospital police	1305	1841		2222		1305, 1841, 2073, 2222, 2940, 2969
*3016 -	By Delegates Moore, Akers, Jeffries, Rohrbach, B. Smith, Street, Phillips, Holstein, Funkhouser, Riley, and McGeehan: Photo voter ID	1189	1693, 1841	2073-2083, 2222	2222	2780	1190, 1694, 2083, 2223, 2940, 2968
*3017 -	By Delegates Moore, Akers, Jeffries, Rohrbach, B. Smith, Street, Holstein, Lucas, and Funkhouser: Compliance Audits of Tabulating Equipment	740	1503	1673-1679			740, 1503, 1679, 1728-1729
*3024 -	By Delegates Ellington, Statler, Toney, T. Clark, Willis, Mallow, Hornby, Ward, Barnhart, Stephens, and Shamblin: Guaranteed course transfer bill	864	1360	1485-1494, 1639	1639	2201	864, 1361, 1494, 1640, 2924, 2968
3030 -	By Delegates Fehrenbacher, Anderson, and Zatezalo: Administration of the West Virginia Water Pollution Control Act	630	1262	1384-1386	1404	1704	630, 1262, 1340, 1386, 1404, 2195, 2960
3080 -	By Delegates W. Clark, Ridenour, Horst, Hornby, and Funkhouser: Military Spouse hiring preference	1113	1365	1640-1641	1640	2201	1113, 1365, 1641, 2923, 2960

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3084 -	By Delegates Rohrbach and Hott: Creating the Oral Health and Cancer Rights Act	1190	1511				1190, 1511
**3089 -	By Delegates Rohrbach and Funkhouser: Mandate the use of WV DMV electronic lien and title system for certain entities and persons	864	1319		1405		865, 1320, 1386, 1405, 1704, 2196, 2960
*3090 -	By Delegates Rohrbach, Funkhouser, Amos, Browning, Hall, and Hott: Relating to coverage for the treatment of stuttering	1190	1697				1190, 1697
*3092 -	By Delegate Rohrbach: Relating to financial assistance available for a prescription drug	1191					1191
*3111 -	By Delegates Dean, McCormick, B. Smith, Stephens, Ward, Kelly, Moore, Hite, Chiarelli, Pritt, and Hott: To provide pay increases to members of the judiciary	1216	1842	2083-2097, 2223, 2813-2818	2223, 2818	2813	1216, 1842, 2097, 2224, 2819, 2942, 2980-2981
*3125 -	By Delegates Barnhart, Stephens, Hornby, Pritt, Ellington, and Statler: To remove restrictions from teachers receiving permanent teaching licenses	899	1511	2744-2745, 2746	2745	2915	899, 1512, 1680, 1803, 2097, 2224, 2328, 2746, 2940, 2960
*3133 -	By Delegates Shamblin, Akers, T. Howell, Petitto, J. Cannon, Ferrell, Jeffries, and Hall: Permitting counties and municipalities to enter into memoranda of understanding for demolition of dilapidated structures	1216	1528		1921		1216, 1528, 1803, 1921, 2940, 2963
*3139 -	By Delegates Coop-Gonzalez, Kyle, and Ellington: Relating to charter schools applications	1017					1017
*3142 -	By Delegates Akers, Maynor, Hott, and Hall: Allowing health benefit plan sponsors to communicate electronically with covered persons	1191					1191

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3144 -	By Delegates Linville, Akers, Holstein, J. Cannon, Hanshaw (Mr. Speaker), and Kump: Wireless Infrastructure and Facilities Siting and Co-location	1017	1698		1922		1017, 1698, 1804, 1922, 2940, 2969
*3145 -	By Delegates Lucas, Moore, Fehrenbacher, and Riley: Relating to duties of licensees under the West Virginia Real Estate License Act	1305	1528				1305, 1529
3146 -	By Delegate Linville: Relating to special registration plates for military personnel	899	1263				900, 1263
*3150 -	By Delegates Ellington, Statler, Toney, Crouse, Dittman, Hornby, Pritt, Campbell, Willis, Jennings, and Stephens: Health Science and Medical Student Loan Programs	1113					1114
*3152 -	By Delegates Criss and Riley: Claims Bill	1216	1399	1680	1729	2780	1216, 1399, 1680, 1730, 2940, 2963
3156 -	By Delegate Hanshaw (Mr. Speaker): Create exemption for Legislature for reporting requirements in Shared Services Section	1192	1358	1494-1495, 1641	1641	2201	1192, 1359, 1495, 1641, 2923, 2960
3157 -	By Delegate Hanshaw (Mr. Speaker): Relating to shortened procedure for road condition claims	1192	1359		1642		1192, 1359, 1495, 1642, 2920, 2960
3162 -	By Delegates Flanigan and Roop: Providing that causes of action under Chapter 46A of the Code of West Virginia survive the death of the party	812	1320, 1837, 1965	1966-1969	2225	2915	812, 1320, 1838, 1966-1969, 2225, 2923, 2966
*3164 -	By Delegates Flanigan, Funkhouser, Pritt, Dillon, Eldridge, Campbell, and Kump: Requiring registered sex offenders pay annual fee	1192	1969		2857		1193, 1969, 2292, 2857, 2940, 2963
*3166 -	By Delegates Hornby, D. Smith, Kyle, J. Cannon, Willis, and Chiarelli: Requirements for School Safety Mapping Data	900	1260, 1399	1680-1682, 1731	1730	2915	900, 1260, 1399, 1682, 1731, 2935, 2966

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3167 -	By Delegates Mallow, Heckert, Vance, Drennan, Dittman, Brooks, DeVault, Ward, and Kump: To require hair follicle drug testing of parents or guardians in cases of substantiated child abuse or neglect of a minor	1217	1837				1217, 1838
*3168 -	By Delegates Mallow, Barnhart, Brooks, Marple, Green, Vance, Hillenbrand, Miller, and Kump: Allow customers to make changes to their accounts by phone or mail	969					970
*3174 -	By Delegates G. Howell and Eldridge: Requiring municipalities take actions when potential customers apply for water and sewer service	1114	1529, 1843				1114, 1529, 1843, 2097-2116, 2226-2245
*3179 -	By Delegates Kyle, D. Cannon, and Sheedy: Funding for failing public utilities	1217	1512		1923		1217, 1512, 1683, 1731, 1923, 2935, 2966
*3181 -	By Delegates G. Howell, Heckert, Ridenour, Masters, Ward, Kelly, Linville, Pinson, Stephens, Marple, and Phillips: Allow all law enforcement officers to purchase gun upon retirement	1218	1843	2117-2124, 2246, 2780	2245, 2781		1218, 1844, 2124, 2246, 2780-2781, 2940, 2963
3187 -	By Delegates J. Cannon, Hanshaw (Mr. Speaker), Maynor, Linville, Hornby, Rohrbach, Kimble, Holstein, Riley, and Young: Relating to the West Virginia Task Force on Artificial Intelligence	900	1698		1923		900, 1698, 1804, 1923, 2935, 2960
3189 -	By Delegates Green, Martin, Kelly, Brooks, Mallow, Heckert, Browning, Ward, Pinson, Marple, and Funkhouser: Creating crime of attempting to smuggle contraband into federal correctional institutions within the state	1305					1306
*3190 -	By Delegates Green, Martin, Kelly, Brooks, Mallow, Heckert, Browning, Ward, Pinson, Marple, and Funkhouser: Controlled Substances and arrestable offenses	865					865

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3192 -	By Delegates Ellington, Statler, Toney, and Kump: To repeal obsolete, conflicting or inoperative provisions of code that pertain to higher education	865	1082		1180		866, 1106, 1160, 1180, 1296, 1691
*3209 -	By Delegates Statler, Brooks, Criss, Ellington, Heckert, Cooper, Campbell, Stephens, Vance, Dittman, and Hanshaw (Mr. Speaker): To provide at least one counselor for every 250 students in public schools and public charter schools in this state	1218	1513, 1844	2246	2246	2916	1218, 1513, 1844, 2124, 2247, 2935, 2963
3263 -	By Delegates Pushkin and Young: Relating to providing notification of utility service disruption to its' customers	900	1699, 1844	2124-2125, 2248	2248	2916	901, 1699, 1845, 2125, 2248, 2940, 2966
3269 -	By Delegate Criss: Reorganizing the Board of Banking and Financial Institutions, the Division of Financial Institutions, and the Lending and Credit Rate Board	1114					1116
3272 -	By Delegates Akers, Leavitt, Flanigan, and Funkhouser: Relating to eviction proceedings	1018	1530	1804-1805, 1924	1924	2781	1018, 1530, 1805, 1924, 2940, 2963
3274 -	By Delegates Akers, Leavitt, Flanigan, Funkhouser, and Kelly: Relating to reports of circuit court proceedings	970	1530		1924		970, 1531, 1805, 1925, 2940, 2963
3275 -	By Delegates Akers, Leavitt, Flanigan, Funkhouser, and Kelly: Update timing for appeals	970	1530		1925		970, 1531, 1805, 1925, 2940, 2963
*3276 -	By Delegates Hott, Martin, Foggin, and Kyle: Provide mechanism for rate increases for water and sewer utilities	1218					1218
3277 -	By Delegate Hite: Relating to defining terms for the West Virginia Hospital Finance Authority Act	970	1365	1496	1642	2916	971, 1366, 1496, 1643, 2940, 2963
*3279 -	By Delegates Criss and Riley: Relating to requirements for WVU and WVSU Board of Governors	1219	1513	1683	1732	2781	1219, 1513, 1683-1686, 1732, 2940, 2968

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3289 -	By Delegates Eldridge and Dean: Relating to expungement of certain criminal convictions	1061					1061
3292 -	By Delegate Heckert: Relating to special stops required for on-track equipment	901	1523				901, 1523
*3294 -	By Delegates Barnhart, Heckert, Holstein, J. Cannon, Linville, Fehrenbacher, and Hott: Enacting the Bank Protections for Eligible Adults from Financial Exploitation Act	1306	1837, 1969	1970-1976, 2249	2249		1306, 1838, 1976, 2249
*3297 -	By Delegates McGeehan, Hanshaw (Mr. Speaker), Phillips, Ellington, Criss, Jeffries, Gearheart, Riley, and Leavitt: Establishing the Washington Center for Civics, Culture, and Statesmanship at West Virginia University	901	1845	2249-2255, 2256, 2735-2736	2256, 2737	2734	901, 1845, 2125, 2256, 2737, 2940, 2968
*3304 -	By Delegates McGeehan, Horst, Pinson, Stephens, Foggin, J. Cannon, and Holstein: To create statues celebrating the 250th anniversary of the founding of the United States	1193					1193
3305 -	By Delegates Holstein, Chiarelli, Kump, and Funkhouser: Changing the limit on switching parties before filing to run for office from 60 days to 180 days prior to an election	1193					1193
3313 -	By Delegates Dittman, Eldridge, Horst, Ridenour, Campbell, Kyle, McCormick, Willis, Dean, Hott, and Miller: Providing more opportunities for high school students in community colleges	1018	1263	1341	1372	1522	1018, 1263, 1341, 1373, 2196, 2960
*3336 -	By Delegates Zatezalo, Anderson, Fehrenbacher, Street, and Eldridge: Well Plugging methods	971	1264, 1693, 1846		2257		971, 1264, 1694, 2125, 2257, 2940, 2960
*3338 -	By Delegates Green, Burkhammer, Heckert, Hornby, Chiarelli, Mallow, Browning, Brooks, Martin, Leavitt, and Pinson: Allow child witness testify remotely in situations deemed traumatic by judge	971	1694, 1846		2258		971, 1694, 2125, 2258, 2940, 2963

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3342 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Firearms Industry Nondiscrimination Act	1193	1503		1733		1194, 1503, 1686, 1733, 2921, 2960
*3343 -	By Delegate Worrell: Relating to drugs and adding a provision relating to the scheduling of crystalline polymorph psilocybin approved by the Food and Drug Administration	1061					1061
3344 -	By Delegates Worrell, Hite, Burkhammer, and Browning: Relating to the establishment of a grant program to fund the United States Food and Drug Administration's drug development trials with ibogaine	1061	1697, 1846	2126			1062, 1697, 1847, 2126, 2266, 2328
3347 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation Administration Diamond Bldg.	1219	1264		1373		1219, 1265, 1341, 1373-1374, 2196, 2945
3349 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation - Medicaid	2570			2572		2571-2572, 2924, 2945
*3350 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation - DCR - Corrections - 0608	1306	1502		1733		1307, 1502, 1686, 1734, 2921, 2945
3352 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation - Human Services - Medicaid	2572			2573		2572-2574, 2924, 2945
3356 -	By Delegate Hanshaw (Mr. Speaker) [By Request of the Executive]: Supplemental Appropriation - Education - Hope Scholarship	2671			2672		2672, 2916, 2924, 2945
3357 -	By Delegate Hanshaw (Mr. Speaker) [By Request of the Executive]: Supplemental Appropriation - Lottery Surplus - Hope Scholarship	2673			2674		2674, 2916, 2924, 2945

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3358 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation FBGR DHHR	1250	1321		1406		1250, 1321, 1386, 1406, 2196, 2945
3359 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation - EDA and Medicaid Net Zero	2574			2575		2574-2576, 2924, 2945
3360 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation - EDA Bridge Loan Fund	2674			2675		2676, 2924, 2945
3361 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation - Health, Birth to Three	1308	1400		1734		1308, 1401, 1686, 1735, 2921, 2945
3363 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation Public Defender	1220	1264		1374		1220, 1265, 1341, 1375, 2196, 2945
3365 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation HLTH Birth to Three	1250	1321		1407		1250, 1321, 1387, 1407, 2196, 2945
3366 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation FEDA HLTH OIG	1250	1321		1408		1250, 1321, 1387, 1408, 2196, 2946
3367 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation SAPR DNR	1251	1321		1409		1251, 1321, 1387, 1409, 2196, 2946
3368 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation Administration Lease Rental Payment	1220	1264		1375		1220, 1265, 1341, 1376, 2196, 2946

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3369 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation - Education - Enrollment	2676			2677		2678, 2924, 2946
3370 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation FEDA HMSV Summer EBT	1251	1321		1410		1251, 1321, 1387, 1410, 2196, 2946
3371 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation - - HLFC to OIG Net Zero	2576			2577		2576-2577, 2924, 2946
3372 -	By Delegates Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive]: Supplemental Appropriation FEDA Veterans	1251	1321		1411		1251, 1321, 1387, 1411, 2196, 2946
3373 -	By Delegates Riley and W. Clark: To extend and revise the sunset provision in the Tourism Development Act to December 31, 2030	1220	1531	1926	1926	2578	1220, 1531, 1806, 1926, 2923, 2960
3389 -	By Delegate W. Clark: Exclude the Department of Tourism as a Governmental agency	1221	1358	1496-1498, 1643	1643	2201	1221, 1359, 1498, 1643, 2923, 2960
*3411 -	By Delegates Hanshaw (Mr. Speaker), Gearheart, Riley, and Rohrbach: Relating to commissions; removing the legislative members; and eliminating expired commissions	1252	1847	2126-2148, 2267	2267	2917	1252, 1847, 2148, 2268, 2935, 2963
3412 -	By Delegates Hanshaw (Mr. Speaker), Kelly, Riley, Gearheart, Criss, Ellington, Phillips, and Worrell: Relating to exemptions from disclosure of certain records; and exempting the legislative branch if it adopts its own rules	1308	1848	2148-2159, 2269	2269		1308, 1848, 2159, 2269
*3422 -	By Delegates Crouse and Hillenbrand: Relating to requiring the State Board of Education to design, test, and deploy an internet-based reporting system to be known as the School Choice Portal	1309	1699				1309, 1700

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3424 -	By Delegate Kelly: Removing language regarding short term loans being provided to released inmates for costs related to reentry into the community	1221	1848		2270		1221, 1849, 2159, 2270, 2935, 2963
*3429 -	By Delegate Riley: Prequalifying consultants for WVDEP- Abandon Mine Lands	1221	1514	1687-1689, 1736	1735	2781	1221, 1514, 1689, 1736, 2940, 2963
*3433 -	By Delegate Kelly: Modifying language in the statute to make it consistent with W.Va. Code §5H-1-2(b) for survivor's benefit payments	1062					1062
3434 -	By Delegate Kelly: Relating to the controlled substance schedules and to clean-up errors identified in the code sections	1116	1694, 1976		2270		1116, 1694, 1977, 2270, 2936, 2960
*3439 -	By Delegate Worrell: Relating to registration of voters and voluntary registration of organ donors	1062					1063
*3440 -	By Delegate Riley: Relating generally to removing and repealing obsolete provisions under the purview of the State Treasurer's Office	1194	1531		2271		1194, 1532, 1806, 1926, 2271, 2940, 2960
*3444 -	By Delegate Worrell: Relating to inflammation of the eyes of newborns	1252	1700		1927		1253, 1700, 1806-1807, 1927, 2941, 2969
3446 -	By Delegates Statler, Toney, Adkins, Browning, Ellington, and Leavitt: Permitting public high school students submit FAFSA prior to graduation	1309					1309
3456 -	By Delegate Green: Relating to the powers and duties of the Commissioner of the Division of Corrections and Rehabilitation regarding Stevens Correctional Center	1116	1503		1736		1116, 1503, 1689, 1736, 2921, 2963
3492 -	By Delegates Rohrbach, Criss, Hanshaw (Mr. Speaker), Amos, Lucas, Riley, and Hornbuckle: Relating to municipal economic opportunity development districts	1222	1836	2271-2274	2274	2782	1222, 1837, 2159, 2275, 2941, 2968

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3503 -	By Delegate Hornby (originating in House Energy and Public Works): Relating to regulation by counties, municipalities, and political subdivisions of commercial horticulture under the Water Pollution Control Act	1117	1532, 1694, 1977	1978-1979, 2284	2284	2782	1117, 1532, 1694, 1979, 2285, 2941, 2966
3504 -	By Delegates Burkhammer, Horst, and G. Howell (originating in House Rules): Relating to protecting critical infrastructure; and defining terms	1018	1838, 1979		2285		1018, 1838, 1979, 2285, 2941, 2963
3505 -	By Delegates Barnhart, Hall, Rohrbach, Hott, Riley, Fehrenbacher, J. Cannon, Dittman, Mazzocchi, Statler, and Canterbury (originating in House Finance): Relating to insurance	1222	1700				1222, 1701, 1807
3506 -	By Delegates Gearheart, Hall, Hite, Hott, Dittman, Mazzocchi, Statler, Ellington, Rohrbach, Jeffries, and Horst (originating in House Education): Relating to contributions to the retirement system for judges of courts of record	1194	1265				1194, 1265
3513 -	By Delegates Akers and Maynor (originating in House Judiciary): Relating to standards of liability and insurance requirements in certain civil actions	1309	1838, 1980	1980-1984	2286	2917	1310, 1838, 1984, 2286, 2923, 2960
3514 -	By Delegates Akers and Maynor (originating in House Judiciary): Relating to persons convicted of a crime	1310					1310
3515 -	By Delegates Akers and Maynor (originating in House Judiciary): Relating to appointment of officers of the West Virginia State Police	1310	1530		1927		1310, 1531, 1808, 1927, 2941, 2960
3517 -	By Delegates Akers, Hanshaw (Mr. Speaker), and Rohrbach (originating in House Judiciary): Relating generally to fiscal emergencies of local governments	1310	1849	2159-2181, 2287, 2782-2805	2287, 2805	2782	1311, 1849, 2181, 2287, 2805, 2941, 2968

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3519 -	By Delegates Canterbury, Dittman, and Williams (originating in House Finance): Expiring funds to the unappropriated surplus balance of the State Fund, General Revenue	1499					1499
3520 -	By Delegates Riley, Gearheart, Rohrbach, Criss, Fehrenbacher, Hott, Anderson, Hite, Statler, and Canterbury (originating in House Finance): Expiring funds to the surplus balance in the State Fund, General Revenue, Office of Energy	2578		2737-2739	2740		2578-2579, 2740
3521 -	By Delegates Rohrbach, Hornbuckle, Mazzocchi, Hott, and Fehrenbacher (originating in House Finance): Expiring funds to the surplus balance in the State Fund, General Revenue, Consumer Protection Recovery Fund	2579					2580
3522 -	By Delegates Dittman, Fehrenbacher, Hott, Barnhart, Howell, Horst, Cooper, Rohrbach, Mazzocchi, and Linville (originating in House Finance): Supplemental Appropriation to Arts, Culture and History	1853			1855		1854-1855, 2925, 2946

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
1 -	By Delegate Hanshaw (Mr. Speaker): Raising a Joint Assembly to open and publish election returns	53			53		54
2 -	By Delegate Hanshaw (Mr. Speaker): Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor	54			54		54
3 -	By Delegate Hanshaw (Mr. Speaker): Providing for an adjournment of the Legislature until February 12, 2025	54			54		55
4 -	By Delegate Hanshaw (Mr. Speaker): Raising a Joint Assembly to hear remarks of the Governor	62			62		62-63
*5 -	By Delegate Burkhammer: William "Bill" Harrison Lowther Memorial Bridge	772	2827		2828		778, 2828
*6 -	By Delegate Mazzocchi: Private Sidney Washington Memorial Bridge	772					778
*7 -	By Delegate Butler: U.S. Army Pfc John Wesley Meadows Memorial Bridge	772	2827		2828		778, 2828
*8 -	By Delegates Mazzocchi and Bridges: PFC Lester E. Maynard Memorial Bridge	773	1265	1266	1266	1356	778, 1266
*9 -	By Delegates T. Howell, Crouse, Hall, Pritt, Butler, Jeffries, Leavitt, Akers, Shamblyn, Ferrell, and Holstein: Robert S. Pomeroy Memorial Bridge	773	1266		1267		778, 1267
*10 -	By Delegates Hillenbrand and G. Howell: USMC PFC Robert Thomas Taylor Memorial Road	773	1266		1267		778, 1267
*11 -	By Delegates Heckert, T. Clark, Sheedy, DeVault, Jennings, Riley, Crouse, Cooper, Fehrenbacher, Criss, and Hanshaw (Mr. Speaker): Thomas A. Azinger Memorial Bridge	773					778

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
*12 -	By Delegate Sheedy: Charles "Charlie" Goff Memorial Bridge	773					778
*13 -	By Delegate Sheedy: Corporal James E. Jackley Memorial Bridge	774	2827		2828		778, 2828
*14 -	By Delegate Steele: US Navy SIC Curtis Hatcher Memorial Road	1117					1120
*15 -	By Delegate Steele: US Marines PFC Delbert Carles Roles Memorial Bridge	774	1267	1268	1270	1356	778, 1270
*17 -	By Delegates Heckert, T. Clark, DeVault, Jennings, Drennan, and Crouse: To place Purple Heart Signs at the entrances to the state	1253					1253
*18 -	By Delegates Hornby, Horst, Chiarelli, D. Smith, Vance, Hite, W. Clark, Phillips, Funkhouser, Rohrbach, and Ferrell: Paul J. Hofe Memorial Bridge	774	2827		2828		778, 2828
*20 -	By Delegates Sheedy, T. Clark, Horst, Hornby, Stephens, Barnhart, Willis, Hillenbrand, DeVault, and Foggin: Tustin Brothers Memorial Bridge	774					778
*21 -	By Delegates Sheedy, Foggin, Horst, Hornby, Stephens, Mallow, Willis, Hillenbrand, Barnhart, and DeVault: U. S. Army Private Terry F. Tustin Memorial Bridge	774					778
*22 -	By Delegates Pritt and Lewis: James M. Ellis Memorial Road	774					778
*23 -	By Delegates Pritt and Linville: US Army PFC Calvin E. Spade Memorial Bridge	775					778
*24 -	By Delegates Sheedy, Foggin, Horst, Hornby, Stephens, Barnhart, Mallow, Willis, Hillenbrand, and DeVault: Postlethwait Brothers Memorial Bridge	775	2827		2828		778, 2828

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
*25 -	By Delegates Sheedy, Foggin, Horst, Hornby, Stephens, Barnhart, Mallow, Willis, Hillenbrand, and DeVault: Waynesburg Pike Road	775					778
*26 -	By Delegates Cooper, Heckert, Toney, and Roop: Jimmy M. Hutchison Memorial Bridge	775	2827		2828		778, 2828
*27 -	By Delegates Hillenbrand, G. Howell, and Sheedy: BG Edmund "Frank" Roleff, WVNG Memorial Road	775	1266		1267		778, 1267
*28 -	By Delegates Cooper, Canterbury, Heckert, Toney, and Roop: Frank Lee Maddy Memorial Road	776	2827		2828		778, 2828
*29 -	By Delegates G. Howell, Hillenbrand, Hott, and Kelly: Sheriff Jeremy Taylor Memorial Road	776	2827		2828		778, 2828
*30 -	By Delegates Toney and Vance: Pastor Roger D. Stewart and Brenda Runion Stewart Memorial Bridge	1117					1120
*31 -	By Delegates Hall and Lewis: U.S. Army Lieutenant Colonel Quewanncoll "Que" Stephens, Sr. Memorial Bridge	776	1267	1268- 1269	1270	1357	778, 1270
*32 -	By Delegate Toney: U. S. Army PVT Leon 'Deacon' Stover Memorial Bridge	776	2827		2828		778, 2828
*34 -	By Delegates Coop-Gonzalez and Sheedy: U. S. Merchant Marine Joseph Ward Teter Memorial Bridge	776	1267	1269	1270	1357	778, 1270
*35 -	By Delegates Pritt, Riley, and Brooks: U.S. Air Force Thomas M. Oxley Memorial Road	776					778
*36 -	By Delegates Pritt and Ridenour: US. Marine Corps PFC Darrel Lee Burgess Memorial Bridge	777	2827		2828		778, 2828
*37 -	By Delegates Hanshaw (Mr. Speaker) and D. Smith: CPT Ray Leslie Memorial Bridge	777	1256		1257		778, 1257

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
*39 -	By Delegates Stephens, Barnhart, Sheedy, Ward, and Pritt: Gold Star Mother Catherine Blake Highway	777					778
*42 -	By Delegate Shamblin: U.S. Army Corporal Kenneth H. Tinsley Bridge	777					778
*43 -	By Delegates Ward, Stephens, and Marple: Ray William "Mutt" Sherman Memorial Bridge	1118	1268	1269- 1270	1270	1398	1120, 1270
*44 -	By Delegates Ward, Stephens, and Marple: Corporal Charles W. Wolfe Memorial Bridge	777	1256		1257		778, 1257
*45 -	By Delegates Ward, Stephens, and Marple: Charlotte Denise Seymour Hill Memorial Bridge	777	2828		2828		778, 2828
*46 -	By Delegates Jennings, Anderson, Dittman, Drennan, Eldridge, Ellington, Ferrell, Hite, Leavitt, Sheedy, Statler, White, Worrell, and Zatezalo: U.S. Army Ronald Gene Sypolt Memorial Bridge	971	1256		1257		974, 1257
*47 -	By Delegates Jennings, Anderson, Coop-Gonzalez, Dittman, Drennan, Eldridge, Ellington, Ferrell, Hite, Leavitt, Parsons, Sheedy, Statler, White, Worrell, and Zatezalo: Clinton "Randy" Dean 101st Airborne Vietnam Veterans Memorial Bridge	972					974
49 -	By Delegates G. Howell, Hillenbrand, Roop, Maynor, Riley, Sheedy, Petitto, White, Mazzocchi, DeVault, Hott, Mallow, Crouse, Stephens, Anders, Ridenour, and Canterbury: Resolution relating to use of industrial sites and the potential impacts on downstream facilities	266	391		434		267, 415, 434
*50 -	By Delegate Sheedy: Alfred E. Garrison Memorial Bridge	972	2828		2828		974, 2828

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*51 -	By Delegates Moore, Mazzocchi, Shamblin, Heckert, Masters, Drennan, Dittman, Campbell, Zatezalo, Jennings, Willis, Foggin, Barnhart, and T. Howell: U.S. Army Roy Lee Hill Memorial Bridge	1118	1256		1257		1120, 1257
*52 -	By Delegates Crouse, Moore, Drennan, Hornby, Horst, Brooks, Masters, Clay, and D. Cannon: Ronnie W. Matthews Memorial Bridge	1118					1120
*54 -	By Delegate Sheedy: PFC Howard Bissett Memorial Bridge	972					974
*55 -	By Delegates Campbell, Canterbury, and Cooper: Vance Brothers Six Military Veterans Highway	1118					1120
*56 -	By Delegates Campbell, Canterbury, and Cooper: Tom Bill Dudley Memorial Bridge	972	2828		2828		974, 2828
*60 -	By Delegate Mallow: Janice Cosco Memorial Bridge Longest Serving Marion County Clerk	972					974
*61 -	By Delegates Pritt and Clay: U.S. Navy Seaman First Class Guy Harlow Waugh Memorial Road	973					974
*62 -	By Delegates Jennings, Dittman, Hott, and Hite: U.S. Army PFC Henry James Miller Memorial Bridge	973	1256		1257		974, 1257
*63 -	By Delegate Adkins: Gary W. Spinks Memorial Bridge	973					974
67 -	By Delegates Young, Akers, Ferrell, Hall, T. Howell, Jeffries, Leavitt, Lewis, Pushkin, and Shamblin: 2nd LT Darwin Keith "Gus" Kyle Memorial Bridge	973					974
*68 -	By Delegate Dillon: Jim Marcum and Airlie Wallace Memorial Bridge	973					974

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*69 -	By Delegates Dillon and Coop-Gonzalez: Landen, Fannie, Katherine, Ab and Laura Baisden Family Memorial Bridge	973					974
*70 -	By Delegates Moore, Dittman, Drennan, Crouse, White, and Petitto: Revolutionary War Patriot Patrick Board Memorial Bridge	1118					1120
*71 -	By Delegates Moore, Dittman, Drennan, Crouse, White, and Petitto: Leonard N. Miller Memorial Bridge	974					974
*72 -	By Delegates Holstein, Eldridge, Green, Jeffries, Coop-Gonzalez, Adkins, Akers, Amos, Anders, Barnhart, Bridges, Brooks, Browning, Butler, Campbell, D. Cannon, J. Cannon, Canterbury, Chiarelli, T. Clark, W. Clark, Clay, Cooper, Crouse, Dean, DeVault, Dillon, Dittman, Drennan, Ellington, Ferrell, Flanigan, Fluharty, Fogglin, Funkhouser, Garcia, Gearheart, Hall, Hamilton, Hansen, Hanshaw (Mr. Speaker), Heckert, Hillenbrand, Hite, Hornbuckle, Hornby, Hott, T. Howell, Kelly, Kimble, Kump, Kyle, Leavitt, Lewis, Linville, Mallow, Marple, Martin, Masters, Maynor, Mazzocchi, McCormick, McGeehan, Miller, Moore, Parsons, Petitto, Phillips, Pinson, Pritt, Pushkin, Ridenour, Rohrbach, Roop, Shamblin, Sheedy, B. Smith, D. Smith, Statler, Steele, Stephens, Street, Toney, Vance, Ward, White, Williams, Willis, Young, and Zatezalo: Recognizing Black Lung Awareness Month	974					975
*76 -	By Delegates Jeffries, Vance, Moore, and Ridenour: PFC Charles Henry Moore Memorial Bridge	1253	2828		2828		1253, 2828
*77 -	By Delegates Toney and Vance: Jim Sigmon Family Memorial Bridge	1118					1120

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
*78 -	By Delegates Dillon, Adkins, Akers, Amos, Anders, Barnhart, Bridges, Brooks, Browning, Campbell, D. Cannon, J. Cannon, Canterbury, Chiarelli, T. Clark, W. Clark, Clay, Cooper, Criss, Crouse, Dean, DeVault, Dittman, Drennan, Eldridge, Ellington, Fehrenbacher, Ferrell, Flanigan, Foggin, Funkhouser, Garcia, Gearheart, Green, Hall, Hamilton, Hansen, Hanshaw (Mr. Speaker), Heckert, Hite, Holstein, Hornbuckle, Hornby, Horst, Hott, G. Howell, T. Howell, Jeffries, Jennings, Kelly, Kimble, Kump, Kyle, Leavitt, Lewis, Linville, Mallow, Marple, Masters, Maynor, Mazzocchi, McCormick, Miller, Moore, Parsons, Petitto, Phillips, Pritt, Pushkin, Riley, Rohrbach, Roop, Shamblin, Sheedy, B. Smith, D. Smith, Statler, Steele, Stephens, Street, Toney, Vance, Ward, White, Williams, Willis, Worrell, Young, Zatezalo, and McGeehan: Urging the Commissioner of Highways to prioritize completion of I-73, the King Coal Highway	778	1131		1164		778, 1164
*79 -	By Delegate Mazzocchi: Donald Tackett Jr. Memorial Road	974					974
*82 -	By Delegates Campbell, Cooper, and Canterbury: U.S. Army PFC Paul Ralph Bittinger Sr. Memorial Bridge	1119					1120
*83 -	By Delegates Pritt, Clay, Brooks, T. Howell, and Leavitt: Benny Filiaggi III Memorial Bridge	974					974
*85 -	By Delegates Dean, Steele, Maynor, Bridges, W. Clark, Hornby, Butler, Heckert, Vance, Eldridge, and Worrell: Lavern “Mousey” Testerman Memorial Bridge	1119	1256		1257		1120, 1257
*86 -	By Delegates Cooper, Canterbury, and Campbell: U. S. Army PFC Robert F. Mann Memorial Bridge	1119	2828		2828		1120, 2828

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*87 -	By Delegates Barnhart, Hillenbrand, Anderson, Fehrenbacher, Mallow, Vance, and Willis: Clark Brothers Memorial Bridge	1119					1120
*88 -	By Delegates Hanshaw (Mr. Speaker), Eldridge, Pushkin, Adkins, Akers, Amos, Anders, Anderson, Barnhart, Bridges, Brooks, Browning, Burkhammer, Butler, Campbell, D. Cannon, J. Cannon, Canterbury, Chiarelli, T. Clark, W. Clark, Clay, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dillon, Dittman, Drennan, Ellington, Fehrenbacher, Ferrell, Flanigan, Fluharty, Foggin, Funkhouser, Garcia, Gearheart, Green, Hall, Hamilton, Hansen, Heckert, Hillenbrand, Hite, Holstein, Hornbuckle, Hornby, Horst, Hott, G. Howell, T. Howell, Jeffries, Jennings, Kelly, Kimble, Kump, Kyle, Leavitt, Lewis, Linville, Lucas, Mallow, Marple, Martin, Masters, Maynor, Mazzocchi, McCormick, McGeehan, Miller, Moore, Parsons, Petitto, Phillips, Pinson, Pritt, Ridenour, Riley, Rohrbach, Roop, Shamblin, Sheedy, B. Smith, D. Smith, Statler, Steele, Stephens, Street, Toney, Vance, Ward, White, Williams, Willis, Worrell, Young, and Zatezalo: Honoring First Responders Honor Board's Medal of Valor Nominees	1307			1307		1307
*89 -	By Delegate Sheedy: U. S. Army SP4 Kermit Harold Yoho Memorial Bridge	1120	2828		2828		1120, 2828
*90 -	By Delegate Sheedy: Dragon Highway	1253					1254

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*91 -	By Delegates T. Clark, Adkins, Anderson, Brooks, Browning, Butler, Clay, Coop-Gonzalez, Dean, DeVault, Dillon, Dittman, Drennan, Eldridge, Ellington, Ferrell, Flanigan, Heckert, Hite, Hott, G. Howell, Jennings, Leavitt, Linville, Marple, Masters, Miller, Parsons, Phillips, Pritt, Sheedy, D. Smith, Statler, Stephens, Ward, Willis, Worrell, and Zatezalo: Charles Grant Hoke Memorial	1120	1256		1257		1120, 1257
*93 -	By Delegates Moore, Anders, Anderson, Campbell, J. Cannon, Crouse, Dean, DeVault, Dillon, Drennan, Fehrenbacher, Holstein, G. Howell, Jeffries, Lucas, Masters, Parsons, Petitto, Pritt, Sheedy, Street, White, and Zatezalo: Scott Miller Hill Bypass	1120					1120
96 -	By Delegate Canterbury: Urging West Virginia's members of Congress to ask the President not to cut funding for the Local Food in Schools and Child Care nutrition	1500			1706		1500, 1701, 1706
97 -	By Delegates Kelly, G. Howell, Hornby, Hornbuckle, Hanshaw (Mr. Speaker), and Akers (originating in House Rules): Creating the West Virginia Justice Reinvestment Taskforce	1254					1254

