



## The Legislative Session – Halfway Point

Today marks the 43<sup>rd</sup> Day of the 2022 Legislative Session and we are well past the halfway point of this year's Legislative Session. Monday, February 21<sup>st</sup> was the last day to introduce bills in the Senate and the cut-off for the House was last week. There were a total of 2171 bills introduced this Session, with 166 passing the House and 136 passing the Senate. Twenty-six bills have completed legislation and Governor Justice has signed 15 bills into law.

*Now, here's a more detailed look, by category, at the bills that have been in focus for both the legislative chambers and the public during the first half of session:*

### **By Category**

#### **1. Health**

- a. **HB 2184 – Increases criminal penalties for intentionally exposing a government employee (including EMS) to fentanyl and other harmful drugs and chemicals**
  - i. Adds a 2–5 year sentence for exposure that results in physical harm
  - ii. Intended to combat the state's opioid crisis
  - iii. Passed through the House (94-2-4), and has been in Senate Judiciary since Jan 25<sup>th</sup>
- b. **HB 4004 – Limits abortions to the 15-week mark, except in case of medical emergency or "severe fetal abnormality"**
  - i. Current law has a 20-week cutoff
  - ii. Mid-January public hearing saw 5 speak in favor of the bill, and 12 speak out against it
  - iii. Passed House, referred to Senate Health and Human Resources
- c. **HB 4013 – "Eliminating the certificate of need (CoN) program"**
  - i. CoN program provides guidelines for building new healthcare facilities, such as setting rules for the location of a new hospital
  - ii. Elimination of CoN program voted down (10-12) in House Health and Human Resources after 4 hours of in-committee debate and testimonies
  - iii. Five other bills now aim to introduce partial exemptions from CoN for specific health care facilities, rather than a complete elimination of the CoN program

- d. **HB 4252 – Reduces the maximum copay price on insulin**
  - i. Reduces the maximum copay for a 30-day supply from \$100 to \$35
  - ii. Intended to make necessary health care more available
  - iii. Passed through the House (94-3-3) and has been in Senate Health & Human Resources since Jan 27<sup>th</sup>
- e. **HB 4263 – “Prohibit the practice of white-bagging”**
  - i. White-bagging is the arranged distribution of patient-specific medication, from a specialty pharmacy to a healthcare facility for administration
  - ii. Passed House (92-0-8), but has been in Senate Health & Human Resources since Feb 1<sup>st</sup>

## **2. Energy and Natural Resources**

- a. **SB 4 – “Repealing ban on construction of nuclear power plants”**
  - i. Doesn’t initiate construction of nuclear facilities; allows the state to engage in conversation with the stakeholders necessary to determine whether nuclear power is reasonable for WV
  - ii. January 28<sup>th</sup> Public Hearing: Nearly half contended that the risk of nuclear disaster is too great, but others voiced support for alternative energy solutions like nuclear in West Virginia
  - iii. Signed by Governor on Feb 3<sup>rd</sup>; takes effect on May 1<sup>st</sup>, 2022
- b. **SB 262 – Authorizes the State Treasurer to prepare a list of financial institutions engaged in a boycott of the energy industry and exclude these institutions from the selection process for state banking contracts**
  - i. State Treasurer, Riley Moore has stated that he wants to identify these institutions to make sure the state will “do business with the folks that want to do business with us”
  - ii. Passed through the Senate (31-2-1); passed House Banking and Insurance, in House Finance
- c. **HB 4003 – Establishing the legal right to beneficial products of mine drainage**
  - i. States that the party who treats mine drainage maintains the legal right to any beneficial byproducts from treatment
  - ii. Allows third parties to enter an agreement with mine owners to treat mine drainage and commercially benefit from any valuable substances removed from the drainage
  - iii. Intended to reduce environmental harm from mine drainage
  - iv. Passed through House (94-1-5); referred to Senate Energy
- d. **HB 4025 – “Providing exemption to severance tax for severing rare earth elements and other critical minerals”**
  - i. Starting July 1<sup>st</sup>, 2022, provides a 5-year exception to severance tax
  - ii. Intended to encourage economic development regarding rare earth elements/critical minerals
  - iii. Passed through House, referred to Senate Finance
- e. **HB 4098 – Instructs the DEP to develop a geothermal energy permitting system**

- i. Intended to encourage the exploration and development of geothermal resources in WV
- ii. Passed through House (96-2-2); referred to Senate Energy

### **3. Finance**

#### **a. SB 2 – Limiting unemployment benefit eligibility**

- i. Reduces unemployment eligibility from 26 weeks to 12 weeks, with an additional week added to 12 for every 0.5% the unemployment rate is above 5.5%
- ii. Passed Senate (25-9-0); referred to House Finance

#### **b. SB 533 – Eliminating the state’s soft drink tax**

- i. Tax has been in place since 1951
- ii. Tax previously benefitted the state’s health sciences and medical schools – WVU Health Sciences Center, School of Medicine at Marshall, and WVU Osteopathic Medicine
- iii. Part of the state’s insurance premium tax will now be contributed to those institutions
- iv. Passed through Senate (34-0-0); referred to House Finance

#### **c. HB 4007 – Personal income tax reduction**

- i. 10% personal income tax cut
- ii. Passed House (76-20-4), referred to Senate Finance Committee

### **4. Education**

#### **a. HB 4011 – Proactively bans the teaching of “Critical Race Theory” in public schools**

- i. Intended to introduce transparency in public school curriculum
- ii. February 9<sup>th</sup> Public Hearing: Majority of participants opposed the bill
- iii. Passed House Education Committee; referred to House Judiciary Committee

#### **b. HB 4074 – “Require schools provide eating disorder and self-harm training for teacher and students”**

- i. Passed both the House (95-0-5) and Senate (33-1-0); waiting on action by Gov. Justice

### **5. Miscellaneous**

#### **a. HB 4001 – Broadband bill**, which creates multiple infrastructure funds and a legislative oversight commission to guide broadband expansion

- i. Intended to expand broadband infrastructure, primarily in rural areas
- ii. Spent 29 days in House Technology & Infrastructure, after being directed to a subcommittee
- iii. Subcommittee assisted in balancing the need for broadband expansion in rural WV and the needs of broadband providers in laying new infrastructure
- iv. Referred to House Finance Committee for consideration

#### **b. HR 13 – Select Committee on Tourism and Economic Diversification created**

- i. Intended to maximize legislative efforts to bring economic development opportunities to West Virginia

**Following are bills specific to our industry:**

[Here is a link](#) to the full list of bills we are tracking on behalf of Big I West Virginia. We are advocating on behalf of you, your business and the clients your represent.

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**Find Your Legislators**

The Legislature's website is an excellent resource to find contact information for your local Legislators and the committees on which they serve. Below are links to the member rosters for both the Senate and House.

If you would like to contact your **Senators** about an issue, their information is [available here](#).

If you would like to contact your **Delegates** about an issue, their information is [available here](#).



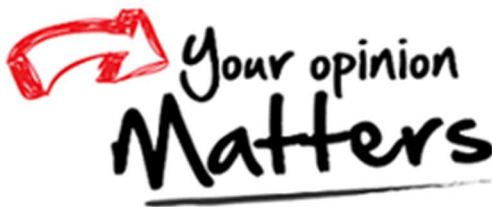
**2022 LEGISLATIVE CALENDAR**



**Forty-seventh Day** - February 27, 2022: Bills due out of committees in house of origin to ensure three full days for readings.

**Fiftieth Day** - March 2, 2022: Last day to consider bill on third reading in house of origin. Does not include budget or supplementary appropriation bills.

**Sixtieth Day** - March 12, 2022: Adjournment at Midnight.



If you have any questions during the session or would like to express your opinion on issues, please contact Daniel Hall at [daniel@omegawv.com](mailto:daniel@omegawv.com) or you can call the office at 304.342.2440 and leave him a message. You may also contact Traci Nelson at [traci@omegawv.com](mailto:traci@omegawv.com) or at 304.342.2440.

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**Capitol Conversations**  
2022 WV LEGISLATIVE SESSION

Join IIAWV for  
Live Weekly  
Virtual Conversations  
About Industry Issues  
& News From Inside  
the Capitol

Every Thursday  
During the Legislative Session  
4:00 - 5:00 p.m.  
VIA ZOOM

Tune into the Capitol Conversation live every Thursday evening, beginning February 10<sup>th</sup>, from 4:00 - 5:00 p.m., during the 2022 WV Legislative Session. We will be discussing the leading industry issues and updating members about what is going on at the Capitol. We will have special guests each week. **Each weekly session has been approved for one hour of continuing education credits.** The following weekly sessions will occur on:

- Feb. 24, 2022 04:00 PM
- Mar. 3, 2022 04:00 PM

To register, please complete the [Registration Form](#). A confirmation email will be remitted after receiving your registration form, multiple registrations can be remitted on one form.

If you have any questions, please feel free to contact [Sarah Estep, Programs Coordinator](#).

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