



## West Virginia Senate

### Committee on the Judiciary

#### Minutes for JANUARY 16, 2020, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on January 16, 2020, 3:00 PM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Clements, Cline, Maynard, Pitsenbarger, Rucker, Smith, Baldwin, Beach, Jeffries, Lindsay, Romano, Woelfel

Members absent: Senators Takubo, Hardesty

A silent roll call being taken, the presence of a quorum was established.

On motion of Senator Weld, the minutes of the previous meeting were approved.

**S. B. 144 - Creating misdemeanor penalty for making materially false statement in course of misdemeanor investigation.**

Tom Smith, Chief Counsel, explained the bill and responded to questions.

On motion of Senator Romano, the committee amended the bill to impose a restriction on the offense if the charge is making a materially false statement to a law enforcement officer in the course of a misdemeanor investigation for which there is no jail sentence, then there is no pre-trial detention.

On motion of Senator Weld, the committee recommended the bill for passage as amended.

**S. B. 311 - Relating to court-ordered community service.**

Tom Smith, Chief Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

Senator Woelfel moved to amend the committee substitute to except from the immunity, causes of action and damages resulting from injuries related to the operation of a motor vehicle used in the course of the community service.

Chairman Trump referred **S. B. 311**, along with the pending amendment, to a subcommittee consisting of Senators Clements, Weld, Woelfel, Romano, and Pitsenbarger.

Senator Woelfel raised a point of order to move the previous question pending on the bill

In the opinion of the Chair, the point is not well taken.

**S. B. 321 - Relating to collection of tax and priority of distribution of estate or property in receivership.**

Chris Alder, Counsel, explained the bill and responded to questions.

With leave of the committee, J. Mark Atkins, Community Bankers of West Virginia, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

Chairman Trump laid over **S. B. 321**.

On Motion of Senator Weld the committee adjourned.



Charles S. Trump IV  
Chairman



Beverly Douglas  
Analyst/Clerk

The Senate of West Virginia



Testimony taken this 16 day of January, 2020, in  
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

J. Mark Adkins

Print Witness Name

[Signature]

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

[Signature]

Sign Member Name