

1 **H. B. 2335**

2  
3 (By Delegate Michael)

4 [Introduced January 12, 2011; referred to the  
5 Committee on the Judiciary.]

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10 A BILL to amend and reenact §61-7-6 of the Code of West Virginia,  
11 1931, as amended, relating to dangerous weapons generally and  
12 allowing Mental Hygiene Commissioners to carry concealed  
13 weapons.

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

15 That §61-7-6 of the Code of West Virginia, 1931, as amended,  
16 be amended and reenacted to read as follows:

17 **ARTICLE 7. DANGEROUS WEAPONS.**

18 **§61-7-6. Exceptions as to prohibitions against carrying concealed**  
19 **deadly weapons.**

20 The licensure provisions set forth in this article do not  
21 apply to:

22 (1) Any person carrying a deadly weapon upon his or her own  
23 premises; nor shall anything herein prevent a person from carrying

1 any firearm, unloaded, from the place of purchase to his or her  
2 home, residence or place of business or to a place of repair and  
3 back to his or her home, residence or place of business, nor shall  
4 anything herein prohibit a person from possessing a firearm while  
5 hunting in a lawful manner or while traveling from his or her home,  
6 residence or place of business to a hunting site and returning to  
7 his or her home, residence or place of business;

8       (2) Any person who is a member of a properly organized target-  
9 shooting club authorized by law to obtain firearms by purchase or  
10 requisition from this state or from the United States for the  
11 purpose of target practice from carrying any pistol, as defined in  
12 this article, unloaded, from his or her home, residence or place of  
13 business to a place of target practice and from any place of target  
14 practice back to his or her home, residence or place of business,  
15 for using any such weapon at a place of target practice in training  
16 and improving his or her skill in the use of the weapons;

17       (3) Any law-enforcement officer or law-enforcement official as  
18 defined in section one, article twenty-nine, chapter thirty of this  
19 code;

20       (4) Any employee of the West Virginia Division of Corrections  
21 duly appointed pursuant to section five, article five, chapter  
22 twenty-eight of this code while the employee is on duty;

23       (5) Any member of the Armed Forces of the United States or the  
24 militia of this state while the member is on duty;

1 (6) Any circuit judge, including any retired circuit judge  
2 designated senior status by the Supreme Court of Appeals of West  
3 Virginia, prosecuting attorney, assistant prosecuting attorney or  
4 a duly appointed investigator employed by a prosecuting attorney;

5 (7) Any resident of another state who holds a valid license to  
6 carry a concealed weapon by a state or a political subdivision  
7 which has entered into a reciprocity agreement with this state,  
8 subject to ~~the provisions and limitations set forth in~~ section six-  
9 a of this article;

10 (8) Any federal law-enforcement officer or federal police  
11 officer authorized to carry a weapon in the performance of the  
12 officer's duty; ~~and~~

13 (9) Any Mental Hygiene Commissioner duly appointed pursuant to  
14 section one, article five, chapter twenty-seven of this code; and

15 ~~(9)~~ (10) Any Hatfield-McCoy Regional Recreation Authority  
16 Ranger while the ranger is on duty.

NOTE: The purpose of this bill is to allow Mental Hygiene Commissioners to carry concealed weapons.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.