

H. B. 3255

(By Delegates Overington, Householder, Duke,
J. Miller, Ellington and Gearheart)
[Introduced February 21, 2011; referred to the
Committee on the Judiciary.]

A BILL to amend and reenact §61-7-6 of the Code of West Virginia,
1931, as amended, relating to exceptions as to prohibitions
against carrying concealed deadly weapons; relating to
officers of the Division of Corrections or the Regional Jail
Authority.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 7. DANGEROUS WEAPONS.

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

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

(1) Any person carrying a deadly weapon upon his or her own
premises; nor shall anything herein prevent a person from carrying
any firearm, unloaded, from the place of purchase to his or her

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

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

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

19 (4) ~~Any employee of the West Virginia Division of Corrections~~
20 ~~duly appointed pursuant to the provisions of section five, article~~
21 ~~five, chapter twenty-eight of this code while the employee is on~~
22 ~~duty~~ Any officer duly appointed by the West Virginia Division of
23 Corrections or Regional Jail Authority who is authorized to carry
24 a weapon;

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

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

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

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

15 (9) Any Hatfield-McCoy regional recreation authority ranger
16 while the ranger is on duty.

NOTE: The purpose of this bill is to update language in this section allowing the Division of Corrections and Regional Jail Authority employees who are authorized to carry a weapon 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.