

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

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5 FOR

6 **Senate Bill No. 343**

7 (SENATORS LAIRD, KESSLER (MR. PRESIDENT), UNGER, KLEMPA, NOHE, BROWNING,
8 PLYMALE, YOST, JENKINS AND BEACH, *original sponsors*)

9 _____
10 [Passed February 20, 2012; in effect ninety days from passage.]

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12
13 AN ACT to amend and reenact §8-15-8a of the Code of West Virginia,
14 1931, as amended, relating to the eligibility of volunteer or
15 part volunteer fire companies or departments to allocation
16 from municipal pensions and protection fund and the Fire
17 Protection Fund; providing requirements for eligibility;
18 providing a grace period for these volunteer fire companies or
19 departments to comply with submission of data; making certain
20 exemptions from reporting requirements; and requiring the
21 State Fire Marshal to notify these volunteer fire companies or
22 departments of the dates and grace period.

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

24 That §8-15-8a of the Code of West Virginia, 1931, as amended,
25 be amended and reenacted to read as follows:

1 **ARTICLE 15. FIRE FIGHTING; FIRE COMPANIES AND DEPARTMENTS; CIVIL**
2 **SERVICE FOR PAID FIRE DEPARTMENTS.**

3 **§8-15-8a. Eligibility for allocation from municipal pensions and**
4 **protection fund and the Fire Protection Fund.**

5 (a) In order to be eligible to receive revenues allocated from
6 the municipal pensions and protection fund or the Fire Protection
7 Fund, each volunteer or part volunteer fire company or department
8 must meet the following requirements:

9 (1) Submit and maintain current submission of fire loss data
10 to the State Fire Marshal;

11 (2) Complete or be in the process of receiving firefighters
12 training, including section one of the West Virginia University fire
13 service extension or its equivalent. The fire company or department
14 must have at least ten members certified as having completed the
15 training or if a volunteer fire company or department has twenty or
16 fewer members, fifty percent of the active volunteer members must
17 have completed such training; and

18 (3) Comply with all applicable federal and state laws.

19 (b) Each volunteer or part volunteer fire company or department
20 shall have a grace period of ninety days, beyond the allocation date
21 in which to comply with submission requirements to the State Fire
22 Marshal. The State Fire Marshal shall notify each volunteer or part
23 volunteer fire company or department of the due date for submitting
24 the information required by this section and the grace period by
25 certified mailing requiring signature and a return receipt.

1 (c) When the records of a volunteer or part volunteer fire
2 company or department are destroyed by a fire or other natural
3 disaster, then the affected volunteer or part volunteer fire company
4 or department is exempt from the provisions of subdivision (1),
5 subsection (a) of this section, for the three months period
6 immediately following the destruction of the records.