

**H. B. 4114**

(By Delegates Perry and Staggers)

[Introduced January 18, 2012; referred to the  
Committee on Pensions and Retirement then Finance.]

A BILL to amend and reenact §8-15-8a of the Code of West Virginia, 1931, as amended, relating to the eligibility of volunteer or part volunteer fire companies or departments to allocation from municipal pensions and protection fund and the Fire Protection Fund; providing a grace period for these volunteer fire companies or departments to comply with submission of data; and requiring the State Fire Marshal to notify these volunteer fire companies or departments of the dates and grace period.

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

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

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

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

In order to be eligible to receive revenues allocated from the

1 municipal pensions and protection fund or the Fire Protection Fund,  
2 each volunteer or part volunteer fire company or department must  
3 meet the requirements listed in subdivisions (a) through (c) of  
4 this section.

5 Each volunteer or part volunteer fire company or department  
6 must:

7 (a) Submit and maintain current submission of fire loss data  
8 to the State Fire Marshal, including verification, by notarized  
9 statement, if no fire loss has occurred;

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

17 (c) Comply with all applicable federal and state laws.

18 (d) Each volunteer or part volunteer fire company or  
19 department shall have a grace period of one fiscal quarter, or  
20 three months, beyond the allocation date in which to comply with  
21 submission requirements to the State Fire Marshal. The State Fire  
22 Marshal shall notify each volunteer or part volunteer fire company  
23 or department of the due date for submitting the information  
24 required by this section and the grace period. The Fire Marshal  
25 shall use every means available to notify each volunteer or part  
26 volunteer fire company or department in order to ensure timely

1 compliance with this section.

NOTE: The purpose of this bill is to provide a grace period for volunteer fire companies or departments to comply with submission of data in order to meet eligibility requirements to receive allocations from municipal pensions and protection fund and the Fire Protection Fund. The bill also requires the State Fire Marshal to notify these volunteer fire companies or departments of the dates and grace period.

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