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**ENROLLED**

**H. B. 4626**

(By Delegates Miley, Morgan, Swartzmiller,  
Lawrence and Snuffer)

[Passed March 10, 2012; in effect ninety days from passage.]

AN ACT to amend and reenact §15-2-4 of the Code of West Virginia, 1931, as amended, relating to the State Police appointment of commissioned officers, noncommissioned officers, other members; increasing principle supervisors to nineteen.

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

That §15-2-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 2. WEST VIRGINIA STATE POLICE.**

**§15-2-4. Appointment of commissioned officers, noncommissioned officers, other members; temporary and permanent positions.**

(a) The superintendent shall appoint, from the enlisted membership of the State Police, a deputy superintendent who shall hold the rank of lieutenant colonel and be next in authority to the superintendent. The superintendent shall appoint, from the

1 enlisted membership of the State Police, the number of other  
2 officers and members he or she considers necessary to operate and  
3 maintain the executive offices, training school and forensic  
4 laboratory; and to keep records relating to crimes and criminals,  
5 coordinate traffic safety activities, maintain a system of supplies  
6 and accounting and perform other necessary services.

7       (b) The ranks within the membership of the State Police shall  
8 be colonel, lieutenant colonel, major, captain, first lieutenant,  
9 second lieutenant, first sergeant, sergeant, corporal, trooper  
10 first class, senior trooper, trooper or cadet trooper. Each member  
11 while in uniform shall wear the insignia of rank as provided by law  
12 and written State Police policies. Members assigned to the  
13 forensic laboratory shall hold the title of trooper, be classified  
14 as criminalists and wear the insignia of classification as provided  
15 by written State Police policies.

16       The superintendent may appoint from the membership of the  
17 State Police nineteen principal supervisors who shall receive the  
18 compensation and hold the temporary rank of lieutenant colonel,  
19 major or captain at the will and pleasure of the superintendent.  
20 The superintendent may also appoint from the membership of the  
21 executive protection section of the State Police two additional  
22 supervisors who shall receive the compensation and hold the  
23 temporary rank of first lieutenant and serve at the will and  
24 pleasure of the superintendent. Appointments are exempt from any

1 eligibility requirements established by the career progression  
2 system: *Provided,* That any member appointed from within the  
3 executive protection section of the State Police to the temporary  
4 rank of first lieutenant must have completed a minimum of two years  
5 service within the executive protection section prior to becoming  
6 eligible for such appointment. Any person appointed to a temporary  
7 rank under the provisions of this article remains eligible for  
8 promotion or reclassification under the provisions of the career  
9 progression system if his or her permanent rank is below that of  
10 first lieutenant. Upon the termination of a temporary appointment  
11 by the superintendent, the member may not be reduced to a rank or  
12 classification below his or her permanent rank or classification,  
13 unless the reduction results from disciplinary action, and remains  
14 eligible for subsequent appointment to a temporary rank.