

**Senate Bill No. 474**

(By Senators Palumbo, Laird, Tucker, Edgell, Wills Yost, Klempa,  
Kessler (Mr. President), Plymale and Beach)

[Introduced February 1, 2012; 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 exempting Supreme Court Justices  
and retired justices from the prohibitions against carrying  
concealed weapons.

*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

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

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

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

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

1 duty;

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

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

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

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

17 (9) Any Hatfield-McCoy Regional Recreation Authority Ranger  
18 while the ranger is on duty.

NOTE: The purpose of this bill is to include supreme court justices and retired justices among those individuals authorized to carry a concealed weapon without a permit. This bill is requested by the Supreme Court of Appeals Administrative Office.

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

2012R1940S 2012R1768H