

COMMITTEE SUBSTITUTE

FOR

H. B. 4114

(BY DELEGATES PERRY AND STAGGERS)

(Originating in the Committee on Finance)
[February 13, 2012]

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 requirements for eligibility; providing a grace period for these volunteer fire companies or departments to comply with submission of data; making certain exemptions from reporting requirements; and requiring the State Fire Marshal to notify these volunteer fire companies or departments of the dates and grace period.

Com. Sub. for H. B. 4114]

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.**

1 (a) In order to be eligible to receive revenues allocated from
2 the municipal pensions and protection fund or the Fire
3 Protection Fund, each volunteer or part volunteer fire company
4 or department must meet the following requirements: ~~listed in~~
5 ~~subdivisions (a) through (c) of this section.~~

6 ~~Each volunteer or part volunteer fire company or~~
7 ~~department must:~~

8 ~~(a)~~ (1) Submit and maintain current submission of fire
9 loss data to the State Fire Marshal; ~~including verification, by~~
10 ~~notarized statement, if no fire loss has occurred;~~

11 ~~(b)~~ (2) Complete or be in the process of receiving
12 firefighters training, including section one of the West

[Com. Sub. for H. B. 4114

13 Virginia University fire service extension or its equivalent.

14 ~~Such~~ The fire company or department must have at least ten

15 members certified as having completed ~~such~~ the training or

16 if a volunteer fire company or department has twenty or

17 fewer members, fifty percent of the active volunteer

18 members must have completed such training; and

19 ~~(e)~~ (3) Comply with all applicable federal and state laws.

20 (b) Each volunteer or part volunteer fire company or

21 department shall have a grace period of ninety days, beyond

22 the allocation date in which to comply with submission

23 requirements to the State Fire Marshal. The State Fire

24 Marshal shall notify each volunteer or part volunteer fire

25 company or department of the due date for submitting the

26 information required by this section and the grace period by

27 certified mailing requiring signature and a return receipt.

28 (c) When the records of a volunteer or part volunteer fire

29 company or department are destroyed by a fire or other

30 natural disaster, then the affected volunteer or part volunteer

Com. Sub. for H. B. 4114]

31 fire company or department is exempt from the provisions
32 of subdivision (1), subsection (a) of this section, for the three
33 months period immediately following the destruction of the
34 records.