## WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2012

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# ENROLLED

# House Bill No. 4626

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



Passed March 10, 2012

To Take Effect Ninety Days From Passage

### ENROLLED

## H. B. 4626

(BY DELEGATES MILEY, MORGAN, SWARTZMILLER, LAWRENCE AND SNUFFER)

[Passed March 10, 2012; to take 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 enlisted membership of the State Police, the

number of other officers and members he or she considers
necessary to operate and maintain the executive offices,
training school and forensic laboratory; and to keep records
relating to crimes and criminals, coordinate traffic safety
activities, maintain a system of supplies and accounting and
perform other necessary services.

12 (b) The ranks within the membership of the State Police 13 shall be colonel, lieutenant colonel, major, captain, first 14 lieutenant, second lieutenant, first sergeant, sergeant, 15 corporal, trooper first class, senior trooper, trooper or cadet 16 trooper. Each member while in uniform shall wear the 17 insignia of rank as provided by law and written State Police 18 policies. Members assigned to the forensic laboratory shall 19 hold the title of trooper, be classified as criminalists and wear 20 the insignia of classification as provided by written State 21 Police policies.

22 The superintendent may appoint from the membership of 23 the State Police nineteen principal supervisors who shall 24 receive the compensation and hold the temporary rank of 25 lieutenant colonel, major or captain at the will and pleasure 26 of the superintendent. The superintendent may also appoint 27 from the membership of the executive protection section of 28 the State Police two additional supervisors who shall receive 29 the compensation and hold the temporary rank of first 30 lieutenant and serve at the will and pleasure of the 31 superintendent. Appointments are exempt from any eligibility 32 requirements established by the career progression system: 33 Provided, That any member appointed from within the 34 executive protection section of the State Police to the 35 temporary rank of first lieutenant must have completed a 36 minimum of two years service within the executive protection 37 section prior to becoming eligible for such appointment. Any 38 person appointed to a temporary rank under the provisions of 39 this article remains eligible for promotion or reclassification

under the provisions of the career progression system if his or 40 41 her permanent rank is below that of first lieutenant. Upon the 42 termination of a temporary appointment by the superintendent, the member may not be reduced to a rank or 43 44 classification below his or her permanent rank or 45 classification, unless the reduction results from disciplinary 46 action, and remains eligible for subsequent appointment to a 47 temporary rank.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

To take effect ninety days from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within \_\_\_\_\_\_ this the \_\_\_\_\_

day of \_\_\_\_\_, 2012.

Governor