

1 **H. B. 2787**

2
3 (By Delegates Hamilton, Barill, Cadle, Ireland, Ellem, D.
4 Poling, Perry, Canterbury, Longstreth, A. Evans and Rowan)

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6 [Introduced March 1, 2013; referred to the
7 Committee on the Judiciary.]

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10 A BILL to amend and reenact §61-7-6 of the Code of West Virginia,
11 1931, as amended, relating to permitting family court judges
12 and magistrates to carry concealed handguns without a permit.

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

14 That §61-7-6 of the Code of West Virginia, 1931, as amended,
15 be amended and reenacted to read as follows:

16 **ARTICLE 7. DANGEROUS WEAPONS.**

17 **§61-7-6. Exceptions as to prohibitions against carrying concealed**
18 **deadly weapons.**

19 The licensure provisions set forth in this article do not
20 apply to:

21 (1) Any person carrying a deadly weapon upon his or her own
22 premises; nor shall anything herein prevent a person from carrying
23 any firearm, unloaded, from the place of purchase to his or her
24 home, residence or place of business or to a place of repair and
25 back to his or her home, residence or place of business, nor shall

1 anything herein prohibit a person from possessing a firearm while
2 hunting in a lawful manner or while traveling from his or her home,
3 residence or place of business to a hunting site and returning to
4 his or her home, residence or place of business;

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

14 (3) Any law-enforcement officer or law-enforcement official as
15 defined in section one, article twenty-nine of chapter thirty;

16 (4) Any employee of the West Virginia Division of Corrections
17 duly appointed pursuant to the provisions of section five, article
18 five of chapter twenty-eight ~~of this code~~ while the employee is on
19 duty;

20 (5) Any member of the Armed Forces of the United States or the
21 militia of this state while the member is on duty;

22 (6) Any circuit judge, including any retired circuit judge
23 designated senior status by the Supreme Court of Appeals of West
24 Virginia, family court judge, magistrate, prosecuting attorney,

1 assistant prosecuting attorney or a duly appointed investigator
2 employed by a prosecuting attorney;

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

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

11 (9) Any Hatfield-McCoy regional recreation authority ranger
12 while the ranger is on duty.

NOTE: The purpose of this bill is to permit family court judges and magistrates to carry concealed handguns without a permit.

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