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H. B. 3139

(By Delegates Sponaugle, R. Phillips,
Manypenny and Longstreth)

(By request of the Secretary of State)

[Introduced March 25, 2013; referred to the
Committee on the Judiciary.]

A BILL to amend and reenact §3-1A-8 of the Code of West Virginia,
1931, as amended, relating to authorizing qualified
investigators employed by the Secretary of State to carry a
firearm and concealed weapon.

Be it enacted by the Legislature of West Virginia:

That §3-1A-8 of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

ARTICLE 1A. STATE ELECTION COMMISSION AND SECRETARY OF STATE.

§3-1A-8. Investigators for the Secretary of State.

(a) An employee of the Secretary of State, who has attended
a course of instruction at the State Police Academy or its
equivalent, has all the lawful powers delegated to members of the
~~Department of Public Safety~~ state police to enforce the provisions
of this chapter and the criminal laws of the state in any county or

1 municipality of this state. The Secretary of State may allow an
2 investigator who has met the minimum standards set forth in section
3 four, article seven, chapter sixty-one of this code to carry a
4 firearm and concealed weapon while engaged in their official duties.

5 (b) ~~An employee shall,~~ Before entering upon the discharge of
6 his or her duties, an employee shall execute a bond with security
7 in the sum of \$3,500, payable to the State of West Virginia,
8 conditioned for the faithful performance of his or her duties. ~~as~~
9 ~~such, and such~~ The bond shall be approved as to form by the Attorney
10 General and ~~the bond shall be~~ filed with the Secretary of State and
11 preserved in his or her office. The ~~Department of Public Safety~~
12 State Police and ~~any~~ a county sheriff or deputy sheriff or ~~any~~ a
13 municipal police officer, upon request by the Secretary of State or
14 his or her appointee, is authorized to assist the Secretary of State
15 or his or her appointee in enforcing the provisions of this chapter
16 and the criminal laws of the state.

NOTE: The purpose of this bill is to allow qualified investigators employed by the Secretary of State to carry firearms and concealed weapons.

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