

Senate Bill No. 198

(By Senators Yost, Fitzsimmons and Beach)

[Introduced February 18, 2013; 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 dangerous weapons; and providing
an exception to the requirement of having a license to carry
a concealed weapon by magistrates and municipal court judges.

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
premises; nor shall anything herein prevent a person from carrying

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

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

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

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

24 (5) Any member of the Armed Forces of the United States or the

1 militia of this state while the member is on duty;

2 (6) Any circuit judge, including any retired circuit judge
3 designated senior status by the Supreme Court of Appeals of West
4 Virginia, prosecuting attorney, assistant prosecuting attorney, ~~or~~
5 a duly appointed investigator employed by a prosecuting attorney, ~~or~~
6 magistrate or municipal court judge;

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

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

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

NOTE: The purpose of this bill is to except magistrates and
municipal court judges from the requirement of having a license to
carry a concealed weapon.

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