

**H. B. 2134**

(By Delegates Hamilton, Perry, Cadle and Rowan)

[Introduced January 20, 2015; 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 authorizing persons to carry handguns into a building housing a court.

*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 handguns; exemptions from licensing fees.**

(a) The licensure provisions set forth in this article do not apply to:

(1) Any person:

(A) Carrying a deadly weapon upon his or her own premises;

(B) Carrying a firearm, unloaded, from the place of purchase to his or her home, residence or place of business or to a place of repair and back to his or her home, residence or place of

1 business; or

2 (C) Possessing a firearm while hunting in a lawful manner or while traveling from his or her  
3 home, residence or place of business to a hunting site and returning to his or her home, residence or  
4 place of business;

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

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

13 (4) Any employee of the West Virginia Division of Corrections duly appointed pursuant to  
14 the provisions of section eleven-c, article one, chapter twenty-five of this code while the employee  
15 is on duty;

16 (5) Any member of the armed forces of the United States or the militia of this state while the  
17 member is on duty;

18 (6) Any resident of another state who holds a valid permit or license to possess or carry a  
19 handgun issued by a state or a political subdivision subject to the provisions and limitations set forth  
20 in section six-a of this article;

21 (7) Any federal law-enforcement officer or federal police officer authorized to carry a weapon  
22 in the performance of the officer's duty;

1 (8) Any Hatfield-McCoy Regional Recreation Authority Ranger while the ranger is on duty;  
2 and

3 (9) Any parole officer appointed pursuant to section fourteen, article twelve, chapter  
4 sixty-two of this code in the performance of their duties.

5 (b) On and after July 1, 2013, the following judicial officers and prosecutors and staff shall  
6 be exempted from paying any application fees or licensure fees required under this article. However,  
7 on and after that same date, they shall be required to make application and satisfy all licensure and  
8 handgun safety and training requirements set forth in section four of this article before carrying a  
9 concealed handgun in this state:

10 (1) Any justice of the Supreme Court of Appeals of West Virginia;

11 (2) Any circuit judge;

12 (3) Any retired justice or retired circuit judge designated senior status by the Supreme Court  
13 of Appeals of West Virginia;

14 (4) Any family court judge;

15 (5) Any magistrate;

16 (6) Any prosecuting attorney;

17 (7) Any assistant prosecuting attorney; or

18 (8) Any duly appointed investigator employed by a prosecuting attorney.

19 (c) No individual set forth in subsection (b) of this section may be authorized by the Chief  
20 Judge or other authority to carry a handgun into a building housing any court in this state unless the  
21 person being so authorized has successfully completed and maintains firearms training and  
22 certification from a program that is equivalent to the firearms training and certification that is

1 required of members of the state police.

NOTE: The purpose of this bill is to provide that certain persons authorized to carry handguns into court buildings must have firearms training and certification equivalent to members of the state police.

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