

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2756

2015 Carryover

(BY DELEGATES TRECOST, LYNCH, MARCUM, R. PHILLIPS,
SPONAUGLE, STATLER AND KELLY)

[Introduced January 13, 2016; referred to the
Committee on the Judiciary.]

1 A BILL to amend and reenact §61-7-6 of the Code of West Virginia, 1931, as amended, relating
 2 to exceptions to prohibitions against carrying concealed handguns; and authorizing
 3 appointees or employees of the Alcohol Beverage Control Commissioner to carry
 4 concealed handguns.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 7. DANGEROUS WEAPONS.

§61-7-6. Exceptions as to prohibitions against carrying concealed handguns; exemptions from licensing fees.

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

2 (1) Any person:

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

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

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

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

15 weapon at a place of target practice in training and improving his or her skill in the use of the
16 weapons;

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

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

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

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

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

29 (8) Any Hatfield-McCoy Regional Recreation Authority Ranger while the ranger is on duty;
30 **and**

31 (9) Any parole officer appointed pursuant to section fourteen, article twelve, chapter
32 sixty-two of this code in the performance of their duties; and

33 (10) Any appointee or employee appointed by the Alcohol Beverage Control
34 Commissioner pursuant to section thirty-four, article three, chapter sixty of this code in the
35 performance of their duties.

36 (b) On and after July 1, 2013, the following judicial officers and prosecutors and staff shall
37 be exempted from paying any application fees or licensure fees required under this article.
38 However, on and after that same date, they shall be required to make application and satisfy all

39 licensure and handgun safety and training requirements set forth in section four of this article
40 before carrying a concealed handgun in this state:

- 41 (1) Any justice of the Supreme Court of Appeals of West Virginia;
- 42 (2) Any circuit judge;
- 43 (3) Any retired justice or retired circuit judge designated senior status by the Supreme
44 Court of Appeals of West Virginia;
- 45 (4) Any family court judge;
- 46 (5) Any magistrate;
- 47 (6) Any prosecuting attorney;
- 48 (7) Any assistant prosecuting attorney; or
- 49 (8) Any duly appointed investigator employed by a prosecuting attorney.

NOTE: The purpose of this bill is to authorize appointees or employees of the Alcohol Beverage Control Commissioner to carry concealed handguns.

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