WEST VIRGINIA LEGISLATURE 2016 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 272

By Senators Blair, Gaunch, Plymale and Romano, original sponsors

[Passed March 12, 2016; in effect 90 days from passage]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-3-6; and to amend said code by adding thereto a new section, designated §60-3-24a, all relating to Attorney General's investigators; allowing them to carry concealed weapons under certain circumstances; and limiting liability for certain acts of investigators; relating to employees of the Enforcement Division of the West Virginia Alcohol Beverage Control Administration; and allowing them to carry concealed weapons under certain circumstances.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §5-3-6; and that said code be amended by adding thereto a new section, designated §60-3-24a, all to read as follows:

CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE GOVERNOR, SECRETARY OF
STATE AND ATTORNEY GENERAL; BOARD OF PUBLIC WORKS;
MISCELLANEOUS AGENCIES, COMMISSIONS, OFFICES, PROGRAMS,
ETC.

ARTICLE 3. ATTORNEY GENERAL.

§5-3-6. Attorney General's investigators authority to carry concealed weapon.

Notwithstanding any provision of this code to the contrary, the Attorney General may designate investigators in his or her employ to carry a firearm in the course of performing their official duties: *Provided*, That as a precondition of being authorized to carry a concealed weapon in the course of their official duties, any such designated investigator must have first successfully completed a firearms training and certification program and maintain certification in a manner which is equivalent to that which is required of members of the State Police. The designated investigator must also obtain and maintain a license to carry a concealed deadly weapon issued pursuant to article seven, chapter sixty-one of this code.

CHAPTER 60. STATE CONTROL OF ALCOHOLIC LIQUORS.

ARTICLE 3. SALES BY COMMISSIONER.

§60-3-24a. Authority of employees of the Commission to carry concealed weapon.

Notwithstanding any provision of this code to the contrary, the Commissioner may designate certain employees of the Enforcement Division in his or her employ to carry a firearm in the course of performing their official duties: *Provided*, That as a precondition of being authorized to carry a concealed weapon in the course of their official duties, any such designated employee must have first successfully completed a firearms training and certification program and maintain certification in a manner which is equivalent to that which is required of members of the State Police. The designated employee must also obtain and maintain a license to carry a concealed deadly weapon issued pursuant to article seven, chapter sixty-one of this code.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.
Chairman, Senate Committee
Chairman, House Committee
Originated in the Senate.
In effect 90 days from passage.
Clerk of the Senate
Clerk of the House of Delegates
President of the Senate
Speaker of the House of Delegates
The within this the
Day of, 2016.
Governor