

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2507

**FISCAL
NOTE**

BY DELEGATES HOLLEN, CRISS, COOPER, WARD AND

HARSHBARGER

[Introduced February 16, 2017; Referred
to the Committee on Veterans' Affairs and Homeland
Security then Finance.]

1 A BILL to amend and reenact §15-2-3 of the Code of West Virginia, 1931, as amended, relating
2 to the West Virginia State Police; and requiring permanent detachments in counties served
3 by fewer than one and one-half full time law-enforcement officers for each one thousand
4 county residents, based upon the most recent census.

Be it enacted by the Legislature of West Virginia:

1 That §15-2-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted
2 to read as follows:

ARTICLE 2. WEST VIRGINIA STATE POLICE.

§15-2-3. State Police structure; how established; training; special revenue account.

1 (a) The superintendent shall create, appoint and equip the State Police which shall consist
2 of the number of troops, districts and detachments required for the proper administration of the
3 State Police. Each troop, district or detachment shall be composed of the number of officers and
4 members the superintendent determines are necessary to meet operational needs and are
5 required for the efficient operation of the State Police. The superintendent shall establish the
6 general organizational structure of the State Police by interpretive rule in accordance with the
7 provisions of article three, chapter twenty-nine-a of this code. The superintendent shall provide
8 adequate facilities for the training of all members of the State Police and shall prescribe basic
9 training requirements for newly enlisted members. He or she shall also provide advanced or in-
10 service training, from time to time, for all members of the State Police. The superintendent shall
11 hold entry-level training classes for other law-enforcement officers in the state without cost to
12 those officers, except actual expenses for food, lodging and school supplies. The superintendent
13 may hold advanced levels of training classes for other law-enforcement officers in the state for a
14 reasonable daily fee per student not to exceed \$100.

15 (b) There is hereby created in the State Treasury a special revenue account, which shall
16 be an interest bearing account, to be known as the Academy Training and Professional
17 Development Fund. The special revenue account shall consist of training fees, any appropriations

18 that may be made by the Legislature, income from the investment of moneys held in the special
19 revenue account and all other sums available for deposit to the special revenue account from any
20 source, public or private. No expenditures, for purposes of this section, are authorized from
21 collections except in accordance with the provisions of article three, chapter twelve of this code
22 and upon fulfillment of the provisions set forth in article two, chapter eleven-b of this code. Any
23 balance remaining in the special revenue account at the end of any state fiscal year does not
24 revert to the General Revenue Fund but remains in the special revenue account and shall be
25 used solely in a manner consistent with this article. The superintendent is authorized to expend
26 funds from the account to offset operational and training costs; for building maintenance and
27 repair; for purchases and for equipment repair or replacement for the West Virginia State Police
28 Academy; and to defray necessary expenses incidental to those and other activities associated
29 with law-enforcement training.

30 (c) There is hereby created in the State Treasury a special revenue account, which is an
31 interest bearing account, to be known as the State Police 100th Anniversary Fund. The special
32 revenue account shall consist of merchandise sales, any appropriations that may be made by the
33 Legislature, income from the investment of moneys held in the special revenue account and all
34 other sums available for deposit to the special revenue account from any source, public or private.
35 No expenditures for purposes of this section are authorized from collections except in accordance
36 with the provisions of article three, chapter twelve of this code and upon fulfillment of the
37 provisions set forth in article two, chapter eleven-b of this code. Any balance remaining in the
38 special revenue account at the end of any state fiscal year does not revert to the General Revenue
39 Fund but remains in the special revenue account and shall be used solely in a manner consistent
40 with this article. The superintendent is authorized to expend funds from the account to offset costs
41 for the 100th anniversary celebration; for purchasing 100th anniversary commemorative
42 merchandise, equipment and vehicles; and to defray necessary expenses incidental to those and
43 other activities associated with the 100th anniversary of the West Virginia State Police. This fund

44 expires on December 31, 2019 and remaining funds shall be transferred to the Academy Training
45 and Professional Development Fund.

46 (d) The superintendent may hold training classes for certification to access and use the
47 West Virginia Automated Police Network (WEAPON) for a reasonable daily fee per student not to
48 exceed \$100.

49 (e) There is hereby created in the State Treasury a special revenue account, which is an
50 interest bearing account, to be known as the West Virginia State Police Criminal Justice
51 Information Services Fund. The special revenue account shall consist of: Fees collected for
52 training and certification for access to the West Virginia Automated Police Network (WEAPON)
53 system; any appropriations that may be made by the Legislature; income from the investment of
54 moneys held in the special revenue account; and all other sums available for deposit to the special
55 revenue account from any source, public or private. Any balance remaining in the special revenue
56 account at the end of any state fiscal year does not revert to the General Revenue Fund but
57 remains in the special revenue account and may be used solely in a manner consistent with this
58 article. The superintendent is authorized to expend funds from the account for the following
59 purposes: To offset operational and training costs; for building maintenance and repair; for
60 purchases and for equipment repair; personal services; software; other associated maintenance
61 costs; and to defray necessary expenses incidental to those and other activities associated with
62 the communications section of the West Virginia State Police.

63 (f) Beginning July 1, 2017, the superintendent shall establish permanent detachments,
64 composed of the number of officers and members the superintendent determines are necessary
65 to meet operational needs, in those counties in the state that are served by an average of fewer
66 than one and one-half full time law-enforcement officers for each one thousand county residents,
67 based upon the most recent census. The combined total of law-enforcement officers from which
68 this average is computed shall be based upon the combined number of law-enforcement officers

- 69 in the county, its cities or municipalities, including state police officers, but may not include elected
70 sheriffs or appointed chiefs of police.

NOTE: The purpose of this bill is to require permanent State Police detachments in counties served by an average of fewer than one and one-half full time law-enforcement officers for each one thousand county residents, based upon the most recent census.

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