

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

Senate Bill 348

BY SENATOR MAYNARD

[Introduced January 23, 2018; Referred
to the Committee on Natural Resources; and then to the
Committee on the Judiciary]

1 A BILL to amend and reenact §20-7-1d and §20-7-1f of the Code of West Virginia, 1931, as
 2 amended, all relating to awarding service weapons to special natural resources police
 3 officers upon retirement; disposal of service weapon when replaced due to routine wear;
 4 and furnishing uniform for burial.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. LAW ENFORCEMENT, MOTORBOATING, LITTER.

§20-7-1d. Awarding service ~~revolver~~ weapon upon retirement; disposal of service weapon when replaced due to routine wear; and furnishing uniform for burial.

1 (a) Upon the retirement of any full-time salaried natural resources police officer, the chief
 2 natural resources police officer shall award to the retiring natural resources police officer his or
 3 her service ~~revolver~~ weapon, without charge, upon determining:

4 (1) That the natural resources police officer is retiring honorably with at least 25 years of
 5 recognized law-enforcement service as determined by the chief natural resources police officer;
 6 or

7 (2) That the natural resources police officer is retiring with less than 25 years of service
 8 based upon a determination that he or she is totally physically disabled as a result of service with
 9 the division.

10 (b) Notwithstanding the provisions of subsection (a) of this section, the chief natural
 11 resources police officer may not award a service ~~revolver~~ weapon to any natural resources police
 12 officer who has been declared mentally incompetent by a licensed physician or any court of law,
 13 or who, in the opinion of the chief natural resources police officer, constitutes a danger to any
 14 person or the community.

15 (c) The disposal of law-enforcement service weapons, when replaced due to routine wear,
 16 does not fall under the jurisdiction of the agency for surplus property, within the Purchasing
 17 Division of the Department of Administration. The chief natural resources police officer may offer
 18 these surplus weapons for sale to any active or retired Division of Natural Resources law-

19 enforcement officer, at fair market value, with the proceeds from any sales used to offset the cost
20 of the new weapons.

21 (d) Upon the death of any current or honorable retired natural resources police officer, the
22 chief natural resources police officer shall, upon the request of the deceased officer's family,
23 furnish a full uniform for burial of the deceased officer.

**§20-7-1f. Awarding service ~~revolver~~ weapon to special natural resources police officers
upon retirement; disposal of service weapon when replaced due to routine wear;
furnishing uniform for burial.**

1 (a) Upon the retirement of any special natural resources police officer selected and
2 appointed pursuant to §20-7-1 of this code, the chief of the officer's section shall award to the
3 retiring special natural resources police officer his or her service ~~revolver~~ weapon, without charge,
4 upon determining:

5 (1) That the special natural resources police officer is retiring honorably with at least 25
6 years of recognized special law enforcement service as determined by the chief natural resources
7 police officer; or

8 (2) That the special natural resources police officer is retiring with less than 25 years of
9 service based upon a determination that he or she is totally physically disabled as a result of
10 service with the division.

11 (b) Notwithstanding the provisions of subsection (a) of this section, the section chief may
12 not award a service ~~revolver~~ weapon to any special natural resources police officer who has been
13 declared mentally incompetent by a licensed physician or any court of law, or who, in the opinion
14 of the chief natural resources police officer constitutes a danger to any person or the community.

15 (c) Upon the death of any current or honorably retired special natural resources police
16 officer, the respective chief shall, upon request of the deceased officer's family, furnish a full
17 uniform for burial of the deceased officer.

18 (d) The disposal of special natural resources police officer service weapons, when

19 replaced due to routine wear, does not fall under the jurisdiction of the agency for surplus property,
20 within the Division of Purchasing of the Department of Administration. The chief of the section of
21 Parks and Recreation and the chief of the Wildlife Resources Section may offer these surplus
22 weapons for sale to any active or retired special natural resources police officer, at fair market
23 value, with the proceeds from any sales used to offset the cost of the new weapon.

NOTE: The purpose of this bill is to allow for the disposal of special natural police officer service weapons by the Chief of the Section of Parks and Recreation and the Chief of the Wildlife Resources Section of the Division of Natural Resources when the weapons are replaced due to routine wear; and to change the designation of service weapon from revolver to weapon.

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