

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

Senate Bill 567

BY SENATORS MARONEY, TARR, AND CLINE

[Introduced February 11, 2019; Referred
to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §30-3-19, relating to permitting West Virginia Board of Medicine investigators
 3 to carry a concealed weapon.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. WEST VIRGINIA MEDICAL PRACTICE ACT.

**§30-3-19. West Virginia Board of Medicine investigations authority to carry concealed
 weapon.**

1 (a) Notwithstanding any provision of this code to the contrary, the board may allow,
 2 consistent with this subsection, an investigator employed or contracted by the board to carry a
 3 concealed firearm while performing his or her official duties.

4 (b) An investigator employed by the board or contracted by the board may carry a
 5 concealed firearm while performing his or her official duties solely for the purposes of defense of
 6 self or others if the investigator has:

7 (1) Obtained approval by a majority vote of the board;

8 (2) Been determined not to be prohibited from possessing a firearm under state or federal
 9 law;

10 (3) Obtained and maintains a concealed handgun license pursuant to §61-7-1 et seq. of
 11 this code; and

12 (4) Successfully completed a firearms training and certification program equivalent to that
 13 provided to officers attending entry level law-enforcement certification course provided at the
 14 West Virginia State Police Academy. The investigator must thereafter successfully complete an
 15 annual firearms qualification course equivalent to that required of certified law-enforcement
 16 officers as established by legislative rule. The board may reimburse the investigator for the cost
 17 of the training and requalification.

18 (c) Neither the state, a political subdivision, an agency nor an employee of the state acting
 19 in an official capacity, may be held personally liable for an act of an investigator employed by the

- 20 board if the act or omission was done in good faith while the investigator was performing official
21 duties on behalf of the board.

NOTE: The purpose of this bill is to permit West Virginia Board of Medicine investigators to carry a concealed 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.