

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4946

BY DELEGATES ANGELUCCI, LONGSTRETH AND CAPUTO

[Passed March 7, 2020; in effect ninety days from

passage.]

1 AN ACT to amend and reenact §8-14-15 of the Code of West Virginia, 1931, as amended, relating
2 to eliminating the requirement that municipal police civil service commissions certify a list
3 of at least one but no more than three individuals for every position vacancy in a municipal
4 police department not filled by promotion, reinstatement, or reduction.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 14. LAW AND ORDER; POLICE FORCE OR DEPARTMENTS; POWERS,
AUTHORITY AND DUTIES OF LAW-ENFORCEMENT OFFICIALS AND
POLICEMEN; POLICE MATRONS; SPECIAL SCHOOL ZONE AND PARKING
LOT OR PARKING BUILDING POLICE OFFICERS; CIVIL SERVICE FOR
CERTAIN POLICE DEPARTMENTS.**

§8-14-15. Appointments from list of eligibles.

1 Every position, unless filled by promotion, reinstatement or reduction, shall be filled only
2 in the manner specified in this section. The appointing officer shall notify the policemen's Civil
3 Service Commission of any vacancy or vacancies in a position or positions which he or she
4 desires to fill and shall request the certification of eligibles. The commission shall forthwith certify
5 the names of at least one but no more than three eligible individuals ranked according to their
6 averages at preceding competitive examinations held under the civil service provisions of this
7 article within a period of three years next preceding the date of the prospective appointment. The
8 appointing officer shall, thereupon, with sole reference to the relative merit and fitness of the
9 candidates, make an appointment or appointments from the names so certified: *Provided*, That
10 should he make objection, to the commission, to one or more of these individuals, for any of the
11 reasons stated in section fourteen of this article, and should such objection be sustained by the
12 commission, after a public hearing along the lines of the hearing provided for in said section
13 fourteen of this article, if any such hearing is requested, the commission shall thereupon strike
14 the name of any such individual from the eligible list, and certify the next highest name for each

15 individual so stricken. As each subsequent vacancy occurs, in the same or another position,
16 precisely the same procedure shall be followed: *Provided, however,* That after any name has
17 been three times rejected for the same or another position in favor of a name or names below it
18 on the same list, the said name shall be stricken from the list. When there are a number of
19 positions of the same kind to be filled at the same time, each appointment shall, nevertheless, be
20 made separately and in accordance with the foregoing provisions. When an appointment is made
21 under the provisions of this section it shall be, in the first instance, for the probationary period of
22 one year, as provided in §8-14-11 of this code.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, House Committee

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Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

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Clerk of the House of Delegates

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Clerk of the Senate

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Speaker of the House of Delegates

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President of the Senate

The within this the.....
day of, 2020.

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Governor