

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

Senate Bill 273

BY SENATORS TRUMP AND WOELFEL

[Introduced January 14, 2022; referred
to the Committee on Government Organization]

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 providing that troops shall be allocated by the
3 superintendent to counties based on the 2020 Census.

Be it enacted by the Legislature of West Virginia:

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~~ §29A-3-1 *et seq.* of this code. The superintendent shall provide adequate facilities
8 for the training of all members of the State Police and shall prescribe basic training requirements
9 for newly enlisted members. He or she shall also provide advanced or in-service training, from
10 time to time, for all members of the State Police. The superintendent shall hold entry-level training
11 classes for other law-enforcement officers in the state without cost to those officers, except actual
12 expenses for food, lodging and school supplies. The superintendent may hold advanced levels of
13 training classes for other law-enforcement officers and those individuals in law enforcement-
14 related professions for a reasonable daily fee per student not to exceed \$100. The superintendent
15 may also allow the use of classrooms, firearms training facilities and other training venues by
16 other agencies or entities for a daily fee not to exceed \$100 per day, per venue.

17 (b) There is hereby created in the State Treasury a special revenue account, which shall
18 be an interest bearing account, to be known as the Academy Training and Professional
19 Development Fund. The special revenue account shall consist of training fees, any appropriations
20 that may be made by the Legislature, income from the investment of moneys held in the special

21 revenue account and all other sums available for deposit to the special revenue account from any
22 source, public or private. No expenditures, for purposes of this section, are authorized from
23 collections except in accordance with ~~the provisions of~~ §12-3-1 *et seq.* of this code and upon
24 fulfillment of ~~the provisions set forth in~~ §11B-2-1 *et seq.* of this code. Any balance remaining in
25 the special revenue account at the end of any state fiscal year does not revert to the General
26 Revenue Fund but remains in the special revenue account and shall be used solely in a manner
27 consistent with this article. The superintendent ~~is authorized to~~ may expend funds from the
28 account to offset operational and training costs; for building maintenance and repair; for
29 purchases and for equipment repair or replacement for the West Virginia State Police Academy;
30 and to defray necessary expenses incidental to those and other activities associated with law-
31 enforcement training.

32 (c) There is hereby created in the State Treasury a special revenue account, which is an
33 interest bearing account, to be known as the State Police 100th Anniversary Fund. The special
34 revenue account shall consist of merchandise sales, any appropriations that may be made by the
35 Legislature, income from the investment of moneys held in the special revenue account and all
36 other sums available for deposit to the special revenue account from any source, public or private.
37 No expenditures for purposes of this section are authorized from collections except in accordance
38 with ~~the provisions of~~ §12-3-1 *et seq.* of this code and upon fulfillment of ~~the provisions set forth~~
39 ~~in~~ §11B-2-1 *et seq.* of this code. Any balance remaining in the special revenue account at the end
40 of any state fiscal year does not revert to the General Revenue Fund but remains in the special
41 revenue account and shall be used solely in a manner consistent with this article. The
42 superintendent is authorized to expend funds from the account to offset costs for the 100th
43 anniversary celebration; for purchasing 100th anniversary commemorative merchandise,
44 equipment and vehicles; and to defray necessary expenses incidental to those and other activities
45 associated with the 100th anniversary of the West Virginia State Police. This fund expires on
46 December 31, 2019, and remaining funds shall be transferred to the Academy Training and

47 Professional Development Fund.

48 (d) The superintendent may hold training classes for certification to access and use the
49 West Virginia Automated Police Network for a reasonable daily fee per student not to exceed
50 \$100.

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

65 (f) Effective upon the passage of the amendment to this section, the superintendent shall,
66 as far as practicable and consistent with duties otherwise required by this article, allot troops to
67 counties according to population based upon the 2020 Census.

NOTE: The purpose of this bill is to provide that troops shall be allocated to counties by the Superintendent based on the 2020 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.