

# **WEST VIRGINIA LEGISLATURE**

**2024 REGULAR SESSION**

**ENGROSSED**

**Committee Substitute**

**for**

**House Bill 5318**

By Delegates Kelly, Hott, Ward, Kump, Fehrenbacher,

Mallow, Hornby, Phillips, Jeffries, Pinson, and Kirby

[Originating in the Committee on the Judiciary;

Reported on February 9, 2024]



1 A BILL to amend and reenact §30-29-13 of the Code of West Virginia, 1931, as amended, relating  
2 to municipal chief executive requirements; and clarifying that persons elected as municipal  
3 police chiefs shall be certified law-enforcement officers, or to be certifiable as such,  
4 according to the requirements set forth in other applicable provisions of this code; and  
5 providing that chief executives elected prior to the effective date are exempt from the  
6 requirement.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 29. LAW-ENFORCEMENT TRAINING AND CERTIFICATION.**

**§30-29-13. Chief executive requirements.**

1 Notwithstanding any provision of this code to the contrary, on or after July 1, 2018, any  
2 person elected or appointed to serve as the chief executive of a municipal law-enforcement  
3 agency shall be a certified, or certifiable as, a law-enforcement officer as provided in §30-29-5 of  
4 this code: *Provided*, That chief executives of municipal law-enforcement agencies employed prior  
5 to July 1, 2018, who are not certified law-enforcement officers are exempt from this requirement  
6 for purposes of the position he or she holds as of that date: *Provided, however*, That elected chief  
7 executives of municipal law-enforcement agencies of Class IV towns as defined by §8-1-3 of this  
8 Code are exempt from this requirement: *Provided further*, That chief executives of municipal law-  
9 enforcement agencies elected prior to July 1, 2024, who are not certified law-enforcement officers  
10 are exempt from this requirement for purposes of the position held unless a break in service from  
11 the elected position occurs.