

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 549

By Senators Phillips, Jeffries, Smith, and Maroney

[Introduced January 25, 2024; referred
to the Committee on Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §11-9-2b, relating to permitting investigators in the State Tax Division to carry
3 concealed weapons.

Be it enacted by the Legislature of West Virginia:

ARTICLE 9. CRIMES AND PENALTIES.

§11-9-2b. State Tax Division investigators authority to carry concealed weapons.

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

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

7 (1) Obtained approval by the Tax Commissioner;

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 an 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 tax division may reimburse the investigator for the
17 cost 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 tax commission if the act or omission was done in good faith while the investigator was performing

21 official duties on behalf of the tax commission.

NOTE: The purpose of this bill is to permit investigators in the State Tax Division to carry concealed weapons.

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