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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1993

ENROLLED

SENATE BILL NO. 96

(By Senator Claypole, et al)

PASSED March 19, 1993
In Effect 90 days from Passage

E N R O L L E D

Senate Bill No. 96

(BY SENATORS CLAYPOLE, HUMPHREYS,
WAGNER AND WIEDEBUSCH)

[Passed March 19, 1993; in effect ninety days from passage.]

AN ACT to amend and reenact section twenty-four, article fifteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to authorizing members of fire departments to participate in political activities; setting forth exceptions thereto; establishing the misdemeanor offense of discriminating against employees lawfully engaged in political activities; and providing penalties therefor.

Be it enacted by the Legislature of West Virginia:

That section twenty-four, article fifteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 15. FIRE FIGHTING; FIRE COMPANIES AND DEPARTMENTS; CIVIL SERVICE FOR PAID FIRE DEPARTMENTS.

§8-15-24. Political activities of members prohibited; exceptions.

- 1 (a) No member of any paid fire department may:
- 2 (1) Solicit or receive any assessment, subscription or

3 contribution, or perform any service for any political
4 party, committee or candidate for compensation, other
5 than for expenses actually incurred;

6 (2) Use any official authority or influence, including,
7 but not limited to, the wearing by a member of a paid
8 fire department of his or her uniform, for the purpose
9 of interfering with or affecting the nomination,
10 election or defeat of any candidate or the passage or
11 defeat of any ballot issue: *Provided*, That this subdivi-
12 sion shall not be construed to prohibit any member of
13 a paid fire department from casting his or her vote at
14 any election while wearing his or her uniform;

15 (3) Coerce or command anyone to pay, lend or
16 contribute anything of value to a party, committee,
17 organization, agency or person for the nomination,
18 election or defeat of a ballot issue;

19 (4) Be a candidate for or hold any other public office;
20 or

21 (5) Be a candidate or delegate to any state or
22 national political party convention or a member of any
23 national, state or local committee of a political party,
24 or serve as a financial agent or treasurer within the
25 meaning of sections three, four or five-e, article eight,
26 chapter three of this code.

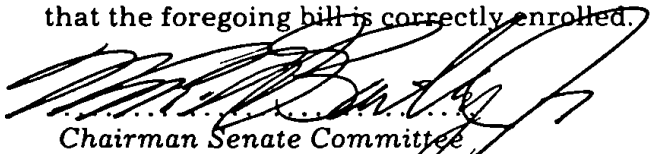
27 (b) Other types of partisan or nonpartisan political
28 activities not inconsistent with the provisions of
29 subsection (a) of this section are permissible political
30 activities for members of paid fire departments.

31 (c) Any member of a paid fire department who
32 violates the provisions of this section shall have his or
33 her appointment vacated and shall be removed, in
34 accordance with the provisions of section twenty-five
35 of this article.

36 (d) No person shall be appointed or promoted to or
37 demoted or dismissed from any position in a paid fire
38 department or in any way favored or discriminated
39 against because of his or her engagement in any
40 political activities authorized by the provisions of this
41 section. Any elected or appointed official who violates

42 the provisions of this subsection shall be guilty of a
43 misdemeanor and, upon conviction thereof, shall be
44 punished by the penalties contained in section twenty-
45 six, article fifteen, chapter eight of this code.

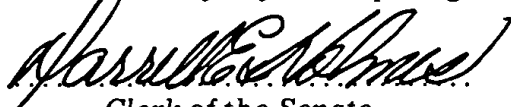
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

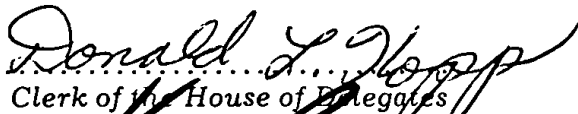

Chairman Senate Committee


Ernest C. Moore
Chairman House Committee

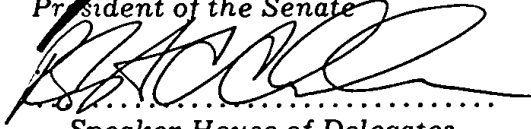
Originated in the Senate.

In effect ninety days from passage.

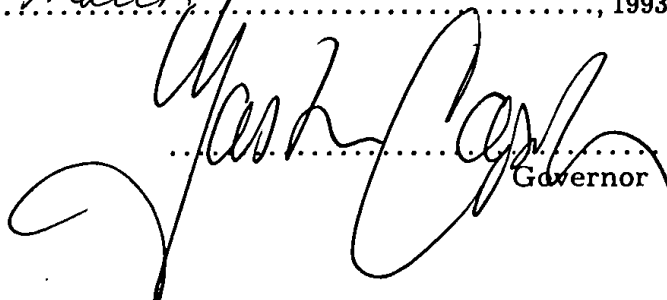

Clerk of the Senate


Donald L. Hoop
Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within is approved this the 31st
day of March, 1993.


Governor

PRESENTED TO THE

GOVERNOR

Date 3/27/93

Time 10:24 am