

SB 719

FILED

2009 APR 21 PM 4:49

OFFICE OF THE CLERK OF THE WEST VIRGINIA
WEST VIRGINIA LEGISLATURE OF STATE

**SEVENTY-NINTH LEGISLATURE
REGULAR SESSION, 2009**

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ENROLLED

Senate Bill No. 719

(BY SENATORS KESSLER, WILLIAMS, UNGER,
LAIRD AND DEEM)

[Passed April 7, 2009; in effect ninety days from passage.]

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SECRETARY OF STATE

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Senate Bill No. 719

(BY SENATORS KESSLER, WILLIAMS, UNGER, LAIRD AND DEEM)

[Passed April 7, 2009; in effect ninety days from passage.]

AN ACT to amend and reenact §8-14-24 of the Code of West Virginia, 1931, as amended, relating to allowing a police officer meeting certain requirements to keep, without charge, his or her service weapon upon retirement.

Be it enacted by the Legislature of West Virginia:

That §8-14-24 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

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

**§8-14-24. Right to receive complete standard uniform; right to
acquire badge; and right to keep service weapon.**

- 1 (a) A police officer, upon honorable retirement, is
- 2 authorized to maintain at his or her own cost a complete

3 standard uniform from the law-enforcement agency of
4 which he or she was a member and shall be issued an
5 identification card indicating his or her honorable retire-
6 ment from the law-enforcement agency. The uniform may
7 be worn by the officer in retirement only on the following
8 occasions: Police Officer's Memorial Day, Law-Enforce-
9 ment Appreciation Day, at the funeral of a law-enforce-
10 ment officer or during any other police ceremony. The
11 honorably retired officer is authorized to acquire a badge
12 of the law-enforcement agency from which he or she is
13 retired with the word "retired" placed on it.

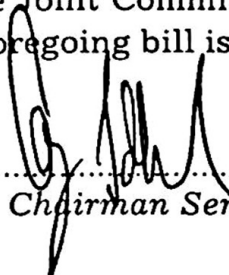
14 (b) Upon retirement, a police officer is entitled to keep,
15 without charge, his or her service weapon after a determi-
16 nation by the chief of police:

17 (1) That the police officer is retiring honorably with at
18 least twenty years of recognized law-enforcement service;
19 or

20 (2) That the police officer is retiring with less than
21 twenty years of service and that he or she is totally
22 physically disabled as a result of service as a police officer.

23 (c) Notwithstanding the provisions of subsection (b) of
24 this section, the chief of police may not award a service
25 weapon to any police officer who has been declared
26 mentally incompetent by a licensed physician or a court of
27 law, or who, in the opinion of the chief of police, consti-
28 tutes a danger to any person or the community.

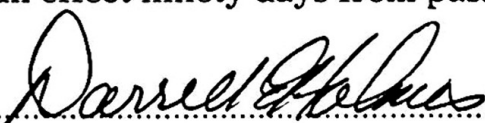
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

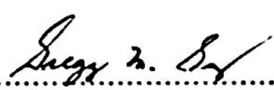

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Chairman Senate Committee

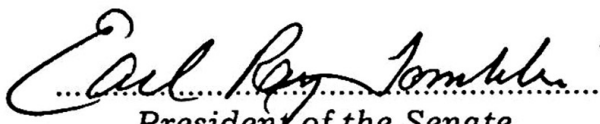

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Chairman House Committee

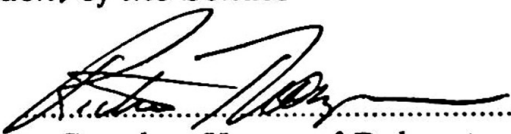
Originated in the Senate.

In effect ninety days from passage.


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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within is approved this the 21st
Day of April, 2009.


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Governor

PRESENTED TO THE
GOVERNOR

APR 20 2009

Time 9:49am