

1 **H. B. 2519**

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3 (By Delegates Williams and Shaver)
4 [Introduced January 17, 2011; referred to the
5 Committee on Political Subdivisions then the Judiciary.]
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10 A BILL to amend and reenact §7-14-8 of the Code of West Virginia,
11 1931, as amended, relating to qualifications of application
12 for the position of deputy sheriff; eliminating the forty-five
13 years of age application limit; removing two year waiting
14 period before a deputy sheriff may be reinstated; and
15 eliminating the Civil Service Commission discretion concerning
16 reinstatement.

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

18 That §7-14-8 of the Code of West Virginia, 1931, as amended,
19 be amended and reenacted to read as follows:

20 **ARTICLE 14. CIVIL SERVICE FOR DEPUTY SHERIFFS.**

21 **§7-14-8. Form of application; age requirements; exceptions.**

22 The Civil Service Commission in each such county shall require
23 persons applying for admission to any competitive examination
24 provided for under this article or under the rules and regulations
25 of the commission to file in its office, within a reasonable time
26 prior to the proposed competitive examination, a formal application

1 in which the applicant shall state under oath or affirmation:

2 (1) His or her full name, residence and post-office address;

3 (2) His or her United States citizenship, age and the place
4 and date of his or her birth;

5 (3) His or her health and his or her physical capacity for the
6 position of deputy sheriff;

7 (4) His or her business, employments and residences for at
8 least three previous years; and

9 (5) Such other information as may reasonably be required,
10 relative to the applicant's qualifications and fitness for the
11 position of deputy sheriff.

12 Blank forms for such applications shall be furnished by the
13 commission, without charge, to all persons requesting the same. The
14 commission may require, in connection with the application, such
15 certificates of citizens, physicians or others, having pertinent
16 knowledge concerning the applicant, as the good of the service may
17 require.

18 No application for original appointment shall be received on
19 and after the effective date of this article, if the person
20 applying is less than eighteen years of age ~~or more than forty five~~
21 ~~years of age~~ at the date of his or her application. ~~Provided, That~~
22 ~~in~~ In the event any applicant formerly served as a deputy sheriff
23 for a period of more than six months in the county to which he or
24 she makes application, and resigned as a deputy sheriff at a time
25 when there were no charges of misconduct or other misfeasance
26 pending against him or her, ~~within a period of two years next~~

1 ~~preceding the date of his application,~~ and at the time of his or
2 her application resides within the county in which he or she seeks
3 appointment by reinstatement, then such applicant shall be eligible
4 for appointment by reinstatement ~~in the discretion of the civil~~
5 ~~service commission, even though such applicant shall be over the~~
6 ~~age of forty-five years,~~ provided he or she is not sixty-five years
7 of age or over, and such applicant, providing his or her former
8 term of service as a deputy sheriff so justifies, may be
9 reappointed by reinstatement without a competitive examination, but
10 such applicant shall undergo a medical examination; and if such
11 applicant shall be so appointed by reinstatement as aforesaid, he
12 or she shall be the lowest in rank in the sheriff's office next
13 above the probationers of the office.

NOTE: The purpose of this bill concerns the qualifications of application for the position of deputy sheriff. The bill eliminates the forty-five years of age application limit. The bill also removes two year waiting period before a deputy sheriff may be reinstated and eliminates the Civil Service Commission discretion concerning reinstatement.

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