

H. B. 4308

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(By Delegates Miley, Frazier, Longstreth, Barill,
Jones and Manchin)

[By request of the Supreme Court of Appeals]

[Introduced January 26, 2012; referred to the
Committee on the Judiciary.]

A BILL to amend and reenact §61-7-6 of the Code of West Virginia,
1931, as amended, relating to exempting supreme court justices
and retired justices from the prohibitions against carrying
concealed weapons.

Be it enacted by the Legislature of West Virginia:

That §61-7-6 of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

ARTICLE 7. DANGEROUS WEAPONS.

**§61-7-6. Exceptions as to prohibitions against carrying concealed
deadly weapons.**

The licensure provisions set forth in this article do not
apply to:

(1) Any person carrying a deadly weapon upon his or her own
premises; nor ~~shall anything herein~~ does this article prevent a
person from carrying any firearm, unloaded, from the place of

1 purchase to his or her home, residence or place of business or to
2 a place of repair and back to his or her home, residence or place
3 of business, nor ~~shall anything herein~~ does this article prohibit
4 a person from possessing a firearm while hunting in a lawful manner
5 or while traveling from his or her home, residence or place of
6 business to a hunting site and returning to his or her home,
7 residence or place of business;

8 (2) Any person who is a member of a properly organized
9 target-shooting club authorized by law to obtain firearms by
10 purchase or requisition from this state or from the United States
11 for the purpose of target practice from carrying any pistol, as
12 defined in this article, unloaded, from his or her home, residence
13 or place of business to a place of target practice and from any
14 place of target practice back to his or her home, residence or
15 place of business, for using any such weapon at a place of target
16 practice in training and improving his or her skill in the use of
17 the weapons;

18 (3) Any law-enforcement officer or law-enforcement official as
19 defined in section one, article twenty-nine, chapter thirty of this
20 code;

21 (4) Any employee of the West Virginia Division of Corrections
22 duly appointed pursuant to the provisions of section five, article
23 five, chapter twenty-eight of this code while the employee is on
24 duty;

1 (5) Any member of the Armed Forces of the United States or the
2 Militia of this state while the member is on duty;

3 (6) Any supreme court justice, circuit judge, including any
4 retired supreme court justice or circuit judge designated senior
5 status by the Supreme Court of Appeals of West Virginia,
6 prosecuting attorney, assistant prosecuting attorney or a duly
7 appointed investigator employed by a prosecuting attorney;

8 (7) Any resident of another state who holds a valid license to
9 carry a concealed weapon by a state or a political subdivision
10 which has entered into a reciprocity agreement with this state,
11 subject to the provisions and limitations set forth in section
12 six-a of this article;

13 (8) Any federal law-enforcement officer or federal police
14 officer authorized to carry a weapon in the performance of the
15 officer's duty; and

16 (9) Any Hatfield-McCoy Regional Recreation Authority Ranger
17 while the ranger is on duty.

NOTE: The purpose of this bill is to include supreme court justices and retired justices among those individuals authorized to carry a concealed weapon without a permit.

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