

1 **H. B. 4324**

2  
3 (By Delegates Caputo, White, Poore, Armstead,  
4 Lawrence and Walter)

5 [ By Request of the State Police]

6 [Introduced January 27, 2012; referred to the  
7 Committee on Veterans' Affairs and Homeland Security then  
8 Finance.]

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10 A BILL to amend and reenact §15-2-3 of the Code of West Virginia,  
11 1931, as amended, relating to the State Police structure and  
12 how established; authorizing entry-level training to be  
13 provided without a fee; and creating a special revenue account  
14 for the West Virginia State Police Academy Fund.

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

16 That §15-2-3 of the Code of West Virginia, 1931, as amended,  
17 be amended and reenacted to read as follows:

18 **ARTICLE 2. WEST VIRGINIA STATE POLICE.**

19 **§15-2-3. State police structure; how established.**

20 (a) The superintendent shall create, appoint and equip the  
21 State Police which shall consist of the number of troops, districts  
22 and detachments required for the proper administration of the State  
23 Police. Each troop, district or detachment shall be composed of  
24 the number of officers and members the superintendent determines

1 are necessary to meet operational needs and are required for the  
2 efficient operation of the State Police. The superintendent shall  
3 establish the general organizational structure of the State Police  
4 by interpretive rule in accordance with the provisions of article  
5 three, chapter twenty-nine-a of this code. The superintendent  
6 shall provide adequate facilities for the training of all members  
7 of the State Police and shall prescribe basic training requirements  
8 for newly enlisted members. He or she shall also provide advanced  
9 or in-service training from time to time for all members of the  
10 State Police. The superintendent shall hold entry-level training  
11 classes for other peace officers in the state without cost to those  
12 officers, except actual expenses for food, lodging and school  
13 supplies. The superintendent may hold advanced levels of training  
14 classes for other peace officers in the state for a reasonable fee.

15 (b) There is hereby created in the State Treasury a special  
16 revenue account, which shall be an interest bearing account, to be  
17 known as the "Academy Training and Professional Development Fund."  
18 The special revenue account shall consist of training fees, any  
19 appropriations that may be made by the Legislature, income from the  
20 investment of moneys held in the special revenue account and all  
21 other sums available for deposit to the special revenue account  
22 from any source, public or private. No expenditures for purposes  
23 of this section are authorized from collections except in  
24 accordance with the provisions of article three, chapter twelve of

1 this code and upon fulfillment of the provisions set forth in  
2 article two, chapter eleven-b of this code. Any balance remaining  
3 in the special revenue account at the end of any state fiscal year  
4 does not revert to the General Revenue Fund but remains in the  
5 special revenue account and shall be used solely in a manner  
6 consistent with this article. The superintendent is authorized to  
7 expend funds from the account to offset operational and training  
8 costs; for building maintenance and repair, for purchases and for  
9 equipment repair or replacement for the West Virginia State Police  
10 Academy; and to defray necessary expenses incidental to those and  
11 other activities associated with law-enforcement training.

NOTE: The purpose of this bill is to authorize the Superintendent of the State Police to provide entry level training to other law-enforcement officers without charging a fee for the training but to charge a fee for advanced level training. A special revenue account is created which will be used to deposit and disburse any fees or other funds available to pay for the entry level training and to defray various training costs.

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