

1 ENROLLED

2 COMMITTEE SUBSTITUTE

3 FOR

4 H. B. 2964

5  
6 (By Delegates Lawrence, Skaff, Caputo, Diserio,  
7 Skinner, R. Phillips, Sponaugle and Westfall)

8 [Passed April 13, 2013; in effect ninety days from passage.  
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11 AN ACT to amend the Code of West Virginia, 1931, as amended, by  
12 adding thereto a new section, designated §8-10-1b, relating to  
13 the powers of mayors of Class III cities and Class IV towns or  
14 villages with paid police departments not subject to civil  
15 service; authorizing the mayor to appoint chief of police; and  
16 providing that a Class III city or Class IV town or village  
17 may provide by ordinance whether the appointed chief of police  
18 shall be reinstated to his or her previous rank following term  
19 as chief of police.

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

21 That the code of West Virginia, 1931, as amended, be amended  
22 by adding thereto a new section, designated §8-10-1b, to read as  
23 follows:

24 **ARTICLE 10. POWERS AND DUTIES OF CERTAIN OFFICERS.**

25 **§8-10-1b. Authority to appoint police chief; reinstating to**  
26 **previous rank.**

1           (a) Unless otherwise provided by charter, the mayor of a Class  
2 III city or Class IV town or village that has a paid police  
3 department that is not subject to the civil services provisions set  
4 out in article fourteen of this chapter, may appoint a chief of  
5 police.

6           (b) A Class III city or Class IV town or village may provide  
7 by ordinance whether the individual appointed chief of police who  
8 held a position as a member of the paid police department prior to  
9 his or her appointment as chief of police shall be reinstated to  
10 the officer's previous rank following his or her term as chief of  
11 police.