WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3230

By Delegates Adkins, Mallow, Chiarelli, Jennings, Linville, Cannon, DeVault, Phillips, Mazzocchi, and Dittman

[Introduced February 02, 2023; Referred to the Committee on Political Subdivisions then the Judiciary]

A BILL to amend and reenact §8-10-1b of said code, relating to allowing the mayors of Class III city or Class IV towns or villages to also serve as the chief of police during their service as mayor.

Be it enacted by the Legislature of West Virginia:

article 10. powers and duties of certain officers.

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

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

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

(c) Class IV town or village mayor may also serve as chief of police during his or her term(s) as mayor, provided there are no other willing and qualified police officers working for the paid police department of that town or village.

NOTE: The purpose of this bill is to allow the mayors of Class III city or Class IV towns or villages to also serve as the chief of police during their service as mayor.

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