

# **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]

1 A BILL to amend and reenact §8-10-1b of said code, relating to allowing the mayors of Class III city  
 2 or Class IV towns or villages to also serve as the chief of police during their service as  
 3 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.**

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

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

8 (c) Class IV town or village mayor may also serve as chief of police during his or her term(s)  
 9 as mayor, provided there are no other willing and qualified police officers working for the paid  
 10 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.