WEST virginia legislature

2023 regular session

Committee Substitute

for

Senate Bill 303

By Senator Stuart

[Originating in the Committee on Government Organization; reported on February 15, 2023]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-7-18, relating to the creation of the Violent Crime Prevention Act; and requiring law enforcement to submit ballistics data to the National Integrated Ballistic Information Network (NIBIN) for alleged use of firearm in connection with charges for certain crimes.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. DANGEROUS WEAPONS.

§61-7-18. Violent Crime Prevention Act.

(a) West Virginia law-enforcement agencies shall submit required ballistics data to the National Integrated Ballistic Information Network (NIBIN) for any firearm that is alleged to have been used in connection with the following offenses:

(1) A felony crime of violence against the person, as defined in §61-11-26(p)(3) of this code;

(2) Domestic violence, as defined in §48-27-202 of this code; or

(3) The distribution of a controlled substance pursuant to §60A-4-401 *et seq*. of this code.

(b) Data shall be submitted by a law enforcement agency within one month of a charge brought upon an individual in the above three categories.