

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 83

By Senator Takubo

[Introduced January 11, 2023; referred
to the Committee on Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §30-43-1, §30-43-2, and §30-43-3, all relating to tactical medical professionals;
 3 defining terms; authorizing to carry firearms; training and certification requirements; and
 4 protecting from civil or criminal liability.

Be it enacted by the Legislature of West Virginia:

ARTICLE 43. TACTICAL MEDICAL PROFESSIONALS.

§30-43-1. Definitions.

1 "Tactical medical professional" means a person who is an emergency medical service
 2 personnel, as defined in §16-4C-1 of this code, or a nurse as defined in §30-7-1 of this code, or a
 3 physician as defined in §30-3-4 of this code, who is trained and certified in a nationally recognized
 4 tactical medical training program that is equivalent to "tactical combat casualty care" (TCCC) and
 5 "tactical emergency medical support" (TEMS) and who functions in the tactical or austere
 6 environment while attached to a law-enforcement agency of either this state or a political
 7 subdivision of this state.

§30-43-2. Tactical medical professional may carry firearm.

1 (a) A tactical medical professional may carry firearms while on duty in the same manner, to
 2 the same extent, and in the same areas as a law-enforcement officer of the law-enforcement
 3 agency the professional is serving, if:

4 (1) The law-enforcement agency that the tactical medical professional is serving has
 5 specifically authorized the professional to carry firearms while on duty;

6 (2) The professional has been awarded a certificate by the Law-Enforcement Professional
 7 Standards Subcommittee of the Governor’s Committee on Crime, Delinquency and Correction as
 8 provided for in §30-29-2 of this code, which certificate attests to satisfactory completion of law-
 9 enforcement training program that qualifies the professional to carry firearms while on duty; and

10 (3) Prior to or during employment as a tactical medical professional and prior to the
 11 effective date of this section, the professional has successfully completed a firearms training

12 program as required by §61-7-4 of this code.

§30-43-3. Tactical medical professional protection from civil or criminal liability.

1 A tactical medical professional to whom this article applies and who is carrying one or more
2 firearms under authority of this article has protection from potential civil or criminal liability for any
3 conduct occurring while carrying the firearm or firearms to the same extent as a law-enforcement
4 officer of the law-enforcement agency the professional is serving has such protection.

NOTE: The purpose of this bill is to define "Tactical medical professional" and authorize that professional to carry a firearm with specific training requirements.

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