

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

ENROLLED

House Bill 2802

BY DELEGATES PINSON, BURKHAMMER, KUMP,
FUNKHOUSER, MAYNOR, HORNBY, HOLSTEIN, KELLY, AND

AKERS

[Passed April 11, 2025; in effect 90 days from
passage (July 10, 2025)]

1 AN ACT to amend and reenact §30-29-3 of the Code of West Virginia, 1931, as amended, relating
2 to law-enforcement training and certification; establishing certain standards governing in-
3 service law-enforcement officer training curricula and in-service supervisory level training
4 curricula promulgated by rules of the subcommittee; and providing that the rules shall
5 include certain provisions for substitution of training credit hours for officers engaging in
6 on-site participation in school safety programs.

Be it enacted by the Legislature of West Virginia:

ARTICLE 29. LAW-ENFORCEMENT TRAINING AND CERTIFICATION.

§30-29-3. Duties of the subcommittee.

1 (a) The subcommittee shall, by or pursuant to rules proposed for legislative approval in
2 accordance with §29A-3-1 *et seq.* of this code:

3 (1) Provide funding for the establishment and support of law-enforcement training
4 academies in the state;

5 (2) Establish standards governing the establishment and operation of the law-enforcement
6 training academies, including regional locations throughout the state, in order to provide access
7 to each law-enforcement agency in the state in accordance with available funds;

8 (3) Establish minimum law-enforcement instructor qualifications;

9 (4) Certify qualified law-enforcement instructors;

10 (5) Maintain a list of approved law-enforcement instructors;

11 (6) Promulgate standards governing the training, firearms qualification, and initial and
12 ongoing professional certification of law-enforcement officers and the entry-level, law-
13 enforcement training curricula. These standards shall require satisfactory completion of a
14 minimum of 800 classroom hours as promulgated by legislative rule and shall provide that the
15 required classroom hours shall be accumulated on the basis of a full-time curricula;

16 (7) Establish standards governing in-service, law-enforcement officer training curricula
17 and in-service supervisory level training curricula: *Provided*, That the rules shall include a

18 provision for substitute hours of in-service training or supervisory level in-service training credits
19 to the extent and in a manner determined appropriate by the subcommittee for law-enforcement
20 officers or certified law-enforcement instructors who engage in on-site participation in a school
21 safety program authorized by law or by a law-enforcement agency;

22 (8) Certify organized criminal enterprise investigation techniques with a qualified anti-racial
23 profiling training course or module;

24 (9) Establish standards governing mandatory training to effectively investigate organized
25 criminal enterprises as defined in §61-13-1 *et seq.* of this code while preventing racial profiling,
26 as defined in §30-29-10 of this code, for entry-level training curricula and for law-enforcement
27 officers who have not received such training as certified by the subcommittee as required in this
28 section;

29 (10) Establish procedures for implementation of a course in investigation of organized
30 criminal enterprises which includes an anti-racial training module to be available on the Internet
31 or otherwise to all law-enforcement officers. The procedures shall include the frequency with
32 which a law-enforcement officer shall receive training in investigation of organized criminal
33 enterprises and anti-racial profiling and a time frame for which all law-enforcement officers must
34 receive such training: *Provided*, That all law-enforcement officers in this state shall receive such
35 training no later than July 1, 2012. In order to implement and carry out the intent of this section,
36 the subcommittee may promulgate emergency rules pursuant to §29A-3-15 of this code;

37 (11) Certify or decertify or reactivate law-enforcement officers, as provided in §30-29-5
38 and §30-29-11 of this code;

39 (12) Establish standards and procedures for the reporting of complaints and certain
40 disciplinary matters concerning law-enforcement officers and for reviewing the certification of law-
41 enforcement officers. These standards and procedures shall provide for preservation of records
42 and access to records by law-enforcement agencies and conditions as to how the information in

those records is to be used regarding an officer's law-enforcement employment by another law-enforcement agency:

(A) The subcommittee shall establish and manage a database that is available to all law-enforcement agencies in the state concerning the status of any person's certification;

(B) Personnel or personal information not resulting in a criminal conviction is exempt from disclosure pursuant to the provisions of chapter 29B of this code;

(13) Seek supplemental funding for law-enforcement training academies from sources other than the fees collected pursuant to §30-29-4 of this code;

(14) Any responsibilities and duties as the Legislature may, from time to time, see fit to direct to the subcommittee;

(15) Establish standards and procedures for initial and ongoing training for law-enforcement officers responsible for investigating sexual assault cases involving adult victims.

This training shall include instruction on:

(A) The neurobiology of trauma;

(B) Trauma-informed interviewing; and

(C) Investigative techniques;

(16) Submit, on or before September 30 of each year, to the Governor, the Speaker of the House of Delegates, the President of the Senate, and, upon request, to any individual member of the Legislature, a report on its activities during the previous year, and an accounting of funds paid into and disbursed from the special revenue account established pursuant to §30-29-4 of this code;

(17) Develop and promulgate rules for state, county, and municipal law-enforcement officers, law-enforcement agencies, and communications and emergency operations centers that dispatch law-enforcement officers with regard to the identification, investigation, reporting, and prosecution of suspected child abuse and neglect: *Provided*, That such rules and procedures

must be consistent with the priority criteria prescribed by generally applicable department procedures;

(18) Make recommendations to the Governor's Committee on Crime, Delinquency, and Correction for legislation related to the subcommittee's duties and responsibilities, or for research or studies by the Division of Administrative Services on topics related to the subcommittee's duties and responsibilities; and

(19) Promulgate standards governing the training, firearms qualification, and initial and ongoing professional certification of a tactical medical professional, as defined in §30-43-1 of this code, on or before January 1, 2024. This training program shall include awarding a certificate upon successful completion of the program that qualifies the tactical medical professional to carry a firearm while on duty.

(b) In addition to the duties authorized and established by this section, the subcommittee may:

(1) Establish training to effectively investigate human trafficking offenses as defined in §61-2-1 *et seq.* of this code for entry-level training curricula and for law-enforcement officers who have not received such training as certified by the committee as required by this section; and

(2) Establish procedures for the implementation of a course in investigation of human trafficking offenses. The course may include methods of identifying and investigating human trafficking and methods for assisting trafficking victims. In order to implement and carry out the intent of this subdivision, the committee may promulgate emergency rules pursuant to §29A-3-15 of this code.

(c) Notwithstanding any provision of this code to the contrary, the subcommittee may deny an application for the establishment of a new law-enforcement training academy if it is determined by the subcommittee that no actual need exists for the establishment of additional law-enforcement training academies to meet the needs of existing law-enforcement agencies in the state.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect 90 days from passage.

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Speaker of the House of Delegates

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President of the Senate

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Day of, 2025.

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Governor