

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Enrolled

Senate Bill 944

BY SENATORS WELD AND DEEDS

[Passed March 14, 2026; in effect 90 days from
passage (June 12, 2026)]

1 AN ACT to amend and reenact §15-10-5 of the Code of West Virginia, 1931, as amended, relating
2 to expanding the categories of eligible federal law-enforcement officers authorized to
3 enforce the laws of this state if certain circumstances exist.

Be it enacted by the Legislature of West Virginia:

ARTICLE 10. COOPERATION BETWEEN LAW-ENFORCEMENT AGENCIES.

§15-10-5. Federal officers' peace-keeping authority.

1 (a) Notwithstanding any provision of this code to the contrary, any person who is employed
2 by the United States government as a federal law-enforcement officer and is listed in subsection
3 (b) of this section has the same authority to enforce the laws of this state, except state or local
4 traffic laws or parking ordinances, as that authority granted to state or local law-enforcement
5 officers, if one or more of the following circumstances exist:

6 (1) The federal law-enforcement officer is requested to provide temporary assistance by
7 the head of a state or local law-enforcement agency or the designee of the head of the agency
8 and that request is within the state or local law-enforcement agency's scope of authority and
9 jurisdiction and is in writing: *Provided*, That the request does not need to be in writing if an
10 emergency situation exists involving the imminent risk of loss of life or serious bodily injury;

11 (2) The federal law-enforcement officer is requested by a state or local law-enforcement
12 officer to provide the officer temporary assistance when the state or local law-enforcement officer
13 is acting within the scope of the officer's authority and jurisdiction and where exigent
14 circumstances exist; or

15 (3) A felony is committed in the federal law-enforcement officer's presence or under
16 circumstances indicating a felony has just occurred.

17 (b) This section applies to the following persons who are employed as full-time federal
18 law-enforcement officers by the United States government and who are authorized to carry
19 firearms while performing their duties:

- 20 (1) Federal Bureau of Investigation special agents;
- 21 (2) Drug Enforcement Administration special agents;
- 22 (3) United States Marshals Service marshals and deputy marshals;
- 23 (4) United States Postal Service inspectors;
- 24 (5) Internal Revenue Service special agents;
- 25 (6) United States Secret Service special agents;
- 26 (7) Bureau of Alcohol, Tobacco, and Firearms special agents;
- 27 (8) Police officers employed at the Federal Bureau of Investigation's criminal justice
28 information services division facility located within this state;
- 29 (9) Department of Veterans Affairs Police and Department of Veterans Affairs special
30 investigators;
- 31 (10) Office of Inspector General special agents;
- 32 (11) Federal Air Marshals with the Federal Air Marshal Service;
- 33 (12) United States Fish and Wildlife Service special agents and law enforcement;
- 34 (13) Diplomatic Security Service special agents;
- 35 (14) Coast Guard special agents;
- 36 (15) Customs and Border Protection law-enforcement agents and officers;
- 37 (16) Department of Defense special agents;
- 38 (17) Federal Protective Service officers;
- 39 (18) Federal Bureau of Prisons officers;
- 40 (19) Immigration and Customs Enforcement special agents and law enforcement; and
- 41 (20) Military law-enforcement personnel, including military criminal investigative
42 organizations, of any component of the armed forces of the United States or National Guard of
43 this state or another, whose military personnel are conducting law-enforcement missions,
44 corrections missions, or other similar operations.

45 (c) Notwithstanding any provision of this code to the contrary, law-enforcement
46 commissioned rangers of the National Park Service have the powers of arrest, search, and
47 seizure as to any offense under the laws of this state committed within the boundaries of a national
48 park, national recreation area, or on other real property included in the National Park System.

49 (d) Notwithstanding any provision of this code to the contrary, law-enforcement officers
50 and special agents commissioned by the United States Forest Service have the powers of arrest,
51 search, and seizure as to any offense under the laws of this state committed within the boundaries
52 of national forests or on other real property managed or overseen by the United States Forestry
53 Service and while acting in the scope of their official duties on such federally managed lands.

54 (e) Any person acting under the authority granted pursuant to this section:

55 (1) Has the same authority and is subject to the same exemptions and exceptions to this
56 code as a state or local law-enforcement officer;

57 (2) Is not an officer, employee, or agent of any state or local law-enforcement agency;

58 (3) May not initiate or conduct an independent investigation into an alleged violation of any
59 provision of this code except to the extent necessary to preserve evidence or testimony at risk of
60 loss immediately following an occurrence described in subdivision (3), subsection (a) of this
61 section: *Provided*, That law-enforcement commissioned rangers of the National Park Service and
62 law-enforcement officers and special agents commissioned by the United States Forest Service
63 may undertake an independent investigation pursuant to the authority described in subsections
64 (c) and (d) of this section: *Provided, however*, That nothing in this section shall be construed to
65 permit law-enforcement officers of the National Park Service, or the United States Forest Service,
66 to initiate or conduct investigations unrelated to activities occurring on federal lands managed or
67 overseen by the National Park Service or the United States Forest Service;

68 (4) Is subject to 28 U.S.C. § 1346, the Federal Tort Claims Act; and

69 (5) Has the same immunities from liability as a state or local law-enforcement officer.

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

.....
Clerk of the Senate

.....
Clerk of the House of Delegates

Originated in the Senate.

In effect 90 days from passage.

.....
President of the Senate

.....
Speaker of the House of Delegates

The within is this the.....
Day of, 2026.

.....
Governor