

HB 4632 S

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2006



ENROLLED

House Bill No. 4632

(By Delegates Staton, Amores and Craig)



Passed March 11, 2006

In Effect Ninety Days from Passage

FILED

MAR 13 3 P 4: 17

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

E N R O L L E D

H. B. 4632

(BY DELEGATES STATON, AMORES AND CRAIG)

[Passed March 11, 2006; in effect ninety days from passage.]

AN ACT to amend and reenact §15-5-15 of the Code of West Virginia, 1931, as amended, relating to employing homeland security and emergency service personnel.

Be it enacted by the Legislature of West Virginia:

That §15-5-15 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 5. DIVISION OF HOMELAND SECURITY AND EMERGENCY
MANAGEMENT.**

§15-5-15. Emergency service personnel.

- 1 (a) No person may be employed or associated in any
- 2 capacity in homeland security or any emergency service
- 3 organization established under this article who has been
- 4 convicted of a felony or who advocates or has advocated a
- 5 change by force or violence in the constitutional form of the
- 6 government of the United States or this state or the overthrow
- 7 of any government in the United States by force or violence or

8 who has been convicted of or is under indictment or informa-
9 tion charging any subversive act against the United States.

10 (b) Each person who is appointed to serve in an organiza-
11 tion for homeland security or emergency services shall undergo
12 a background check and shall, before entering upon his or her
13 duties, take an oath, in writing, before a person authorized to
14 administer oaths in this state, which shall be substantially as
15 follows:

16 "I, _____, do solemnly swear or affirm that
17 I will support and defend the Constitution of the United States
18 and the Constitution of West Virginia against all enemies,
19 foreign and domestic; that I will bear true faith and allegiance
20 to the same; that I take this obligation freely, without any
21 mental reservation or evasion; that I am not a convicted felon;
22 and that I will faithfully and competently discharge the duties
23 upon which I am about to enter.

24 "I do further swear or affirm that I do not advocate, nor am
25 I a member of any political party or organization that advocates,
26 the overthrow of the government of the United States or this
27 state by force or violence; while I am a member of the (name of
28 organization) I will not advocate or become a member of any
29 political party or organization that advocates the overthrow of
30 the government of the United States or this state by force or
31 violence."

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.




Chairman Senate Committee



Chairman House Committee

Originating in the House.

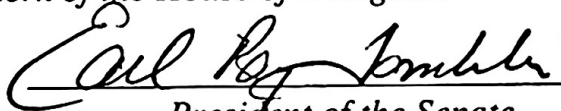
In effect ninety days from passage.



Clerk of the Senate



Clerk of the House of Delegates

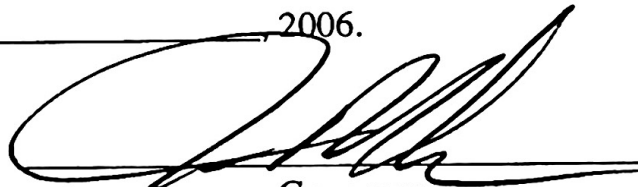


President of the Senate



Speaker of the House of Delegates

The within is approved this the 30
day of April 2006.



Governor

PRESENTED TO THE
GOVERNOR

MAR 27 2006

Time

4:15 pm