

**ENROLLED**

COMMITTEE SUBSTITUTE

FOR

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FOR

**Senate Bill No. 343**

(SENATORS LAIRD, KESSLER (MR. PRESIDENT),  
UNGER, KLEMPA, NOHE, BROWNING, PLYMALE,  
YOST, JENKINS AND BEACH, *original sponsors*)

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[Passed February 20, 2012; in effect ninety days from passage.]

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AN ACT to amend and reenact §8-15-8a of the Code of West Virginia, 1931, as amended, relating to the eligibility of volunteer or part volunteer fire companies or departments to allocation from municipal pensions and protection fund and the Fire Protection Fund; providing requirements for eligibility; providing a grace period for these volunteer fire companies or departments to comply with submission of data; making certain exemptions from reporting requirements; and requiring the State Fire Marshal to notify these volunteer fire companies or departments of the dates and grace period.

*Be it enacted by the Legislature of West Virginia:*

That §8-15-8a of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 15. FIRE FIGHTING; FIRE COMPANIES AND DEPARTMENTS; CIVIL SERVICE FOR PAID FIRE DEPARTMENTS.**

**§8-15-8a. Eligibility for allocation from municipal pensions and protection fund and the Fire Protection Fund.**

1 (a) In order to be eligible to receive revenues allocated  
2 from the municipal pensions and protection fund or the Fire  
3 Protection Fund, each volunteer or part volunteer fire  
4 company or department must meet the following require-  
5 ments:

6 (1) Submit and maintain current submission of fire loss  
7 data to the State Fire Marshal;

8 (2) Complete or be in the process of receiving firefighters  
9 training, including section one of the West Virginia Univer-  
10 sity fire service extension or its equivalent. The fire company  
11 or department must have at least ten members certified as  
12 having completed the training or if a volunteer fire company  
13 or department has twenty or fewer members, fifty percent of  
14 the active volunteer members must have completed such  
15 training; and

16 (3) Comply with all applicable federal and state laws.

17 (b) Each volunteer or part volunteer fire company or  
18 department shall have a grace period of ninety days, beyond  
19 the allocation date in which to comply with submission  
20 requirements to the State Fire Marshal. The State Fire  
21 Marshal shall notify each volunteer or part volunteer fire  
22 company or department of the due date for submitting the  
23 information required by this section and the grace period by  
24 certified mailing requiring signature and a return receipt.

25 (c) When the records of a volunteer or part volunteer fire  
26 company or department are destroyed by a fire or other  
27 natural disaster, then the affected volunteer or part volun-  
28 teer fire company or department is exempt from the provi-  
29 sions of subdivision (1), subsection (a) of this section, for the  
30 three months period immediately following the destruction  
31 of the records.