

1 **ENROLLED**

2 **COMMITTEE SUBSTITUTE**

3 **FOR**

4 **H. B. 3139**

5
6 (By Delegates Sponaugle, R. Phillips, Manypenny and Longstreth)

7 (By request of the Secretary of State)

8 [Passed April 13, 2013; in effect from passage.]

9
10 AN ACT to amend and reenact §3-1A-8 of the Code of West Virginia,
11 1931, as amended, relating to qualified investigators employed
12 by the Secretary of State; authorizing the Secretary of State
13 to allow qualified investigators to carry firearms while
14 performing their official duties; establishing minimum
15 training and certification requirements; and requiring
16 qualified personnel to secure a license to carry a concealed
17 weapon in accordance with the provisions of the code.

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

19 That §3-1A-8 of the Code of West Virginia, 1931, as amended,
20 be amended and reenacted to read as follows:

21 **ARTICLE 1A. STATE ELECTION COMMISSION AND SECRETARY OF STATE.**

22 **§3-1A-8. Investigators for the Secretary of State.**

23 (a) An employee of the Secretary of State, who has attended
24 a course of instruction at the State Police Academy or its
25 equivalent, has all the lawful powers delegated to members of the

1 state police to enforce the provisions of this chapter and the
2 criminal laws of the state in any county or municipality of this
3 state. The Secretary of State may allow an investigator who has
4 met the standards set forth in section four, article seven, chapter
5 sixty-one of this code to carry a firearm and concealed weapon while
6 performing their official duties: *Provided*, That as a precondition
7 of being authorized to carry a firearm or concealed weapon in the
8 course of their official duties, any such designated personnel must
9 obtain and maintain firearms training and certification which is
10 equivalent to that which is required of members of the state police.
11 The designated persons must also possess a license to carry a
12 concealed deadly weapon in the manner prescribed in article seven,
13 chapter sixty-one of this code, or otherwise be exempted from the
14 code's provisions.

15 (b) Before entering upon the discharge of his or her duties,
16 an employee shall execute a bond with security in the sum of \$3,500,
17 payable to the State of West Virginia, conditioned for the faithful
18 performance of his or her duties. The bond shall be approved as to
19 form by the Attorney General and filed with the Secretary of State
20 and preserved in his or her office. The State Police and a county
21 sheriff or deputy sheriff or a municipal police officer, upon
22 request by the Secretary of State or his or her appointee, is
23 authorized to assist the Secretary of State or his or her appointee
24 in enforcing the provisions of this chapter and the criminal laws
of the state.