

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 3139

(BY DELEGATE(S) SPONAUGLE, R. PHILLIPS,
MANYPENNY AND LONGSTRETH)
(BY REQUEST OF THE SECRETARY OF STATE)

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

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

Be it enacted by the Legislature of West Virginia:

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

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

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

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

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

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

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

In effect from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within _____ this the _____
day of _____, 2013.

Governor

