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ENROLLED

**H. B. 4460**

(By Delegates Caputo, Swartzmiller, Eldridge,  
Storch, Azinger, D. Poling, Iaquina and Ellem)

[Passed March 7, 2014; in effect ninety days from passage.]

AN ACT to amend and reenact §8-15-26 of the Code of West Virginia, 1931, as amended, relating to violating provisions of the civil service law for paid fire departments; and increasing criminal penalties.

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

That §8-15-26 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.**

**§8-15-26. Offenses and penalties.**

Any individual who makes an appointment or promotion to any position, or selects an individual for employment contrary to the civil service provisions of this article, or willfully refuses or neglects otherwise to comply with, or to conform to, any of the civil service provisions of this article, or violates any of those

1 provisions, is guilty of a misdemeanor.

2       Any commissioner or examiner, or any other individual, who  
3 willfully, by himself or herself or in cooperation with one or more  
4 persons, defeats, deceives or obstructs any individual with respect  
5 to his or her right of examination or registration according to the  
6 civil service provisions of this article, or to any rules and  
7 regulations prescribed pursuant thereto, or who willfully or  
8 corruptly, falsely marks, grades, estimates or reports upon any  
9 such examination or proper standing of any individual so examined,  
10 registered or certified, pursuant to the civil service provisions  
11 of this article, or aids in so doing, or who willfully or corruptly  
12 furnishes to any individual any special or secret information, for  
13 the purpose of either improving or injuring the prospects or  
14 chances of appointment or promotion to any position of any  
15 individual so examined, registered or certified, or to be so  
16 examined, registered or certified, or who impersonates any other  
17 individual, or permit or aid in any manner any other individual to  
18 impersonate him or her, in connection with any such examination or  
19 registration, or application or request to be examined or  
20 registered, is, for each offense, guilty of a misdemeanor.

21       Any person convicted of any of these misdemeanor offenses  
22 shall be punished by a fine of not less than \$500, nor more than  
23 \$10,000 or by confinement in jail for a term not exceeding one  
24 year, or by both fine and confinement, in the discretion of the

1 court.