

1 **COMMITTEE SUBSTITUTE**

2 **FOR**

3 **H. B. 2756**

4
5 (By Delegates Trecost, Lynch, Marcum, R. Phillips, Sponaule,
6 Statler and Kelly)

7
8 [Originating in the Committee on the Judiciary.]

9
10 A BILL to amend and reenact §61-7-6 of the Code of West Virginia, 1931, as amended, relating to
11 exceptions to prohibitions against carrying concealed handguns; and authorizing appointees
12 or employees of the Alcohol Beverage Control Commissioner to carry concealed handguns.

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

14 That §61-7-6 of the Code of West Virginia, 1931, as amended, be amended and reenacted
15 to read as follows:

16 **ARTICLE 7. DANGEROUS WEAPONS.**

17 **§61-7-6. Exceptions as to prohibitions against carrying concealed handguns; exemptions from**
18 **licensing fees.**

19 (a) The licensure provisions set forth in this article do not apply to:

20 (1) Any person:

21 (A) Carrying a deadly weapon upon his or her own premises;

22 (B) Carrying a firearm, unloaded, from the place of purchase to his or her home, residence
23 or place of business or to a place of repair and back to his or her home, residence or place of
24 business; or

1 (C) Possessing a firearm while hunting in a lawful manner or while traveling from his or her
2 home, residence or place of business to a hunting site and returning to his or her home, residence or
3 place of business;

4 (2) Any person who is a member of a properly organized target-shooting club authorized by
5 law to obtain firearms by purchase or requisition from this state or from the United States for the
6 purpose of target practice from carrying any pistol, as defined in this article, unloaded, from his or
7 her home, residence or place of business to a place of target practice and from any place of target
8 practice back to his or her home, residence or place of business, for using any such weapon at a place
9 of target practice in training and improving his or her skill in the use of the weapons;

10 (3) Any law-enforcement officer or law-enforcement official as defined in section one, article
11 twenty-nine, chapter thirty of this code;

12 (4) Any employee of the West Virginia Division of Corrections duly appointed pursuant to
13 the provisions of section eleven-c, article one, chapter twenty-five of this code while the employee
14 is on duty;

15 (5) Any member of the armed forces of the United States or the militia of this state while the
16 member is on duty;

17 (6) Any resident of another state who holds a valid permit or license to possess or carry a
18 handgun issued by a state or a political subdivision subject to the provisions and limitations set forth
19 in section six-a of this article;

20 (7) Any federal law-enforcement officer or federal police officer authorized to carry a weapon
21 in the performance of the officer's duty;

22 (8) Any Hatfield-McCoy Regional Recreation Authority Ranger while the ranger is on duty;

1 and

2 (9) Any parole officer appointed pursuant to section fourteen, article twelve, chapter
3 sixty-two of this code in the performance of their duties; and

4 (10) Any appointee or employee appointed by the Alcohol Beverage Control Commissioner
5 pursuant to section twenty-four, article three, chapter sixty of this code in the performance of their
6 duties.

7 (b) On and after July 1, 2013, the following judicial officers and prosecutors and staff shall
8 be exempted from paying any application fees or licensure fees required under this article. However,
9 on and after that same date, they shall be required to make application and satisfy all licensure and
10 handgun safety and training requirements set forth in section four of this article before carrying a
11 concealed handgun in this state:

12 (1) Any justice of the Supreme Court of Appeals of West Virginia;

13 (2) Any circuit judge;

14 (3) Any retired justice or retired circuit judge designated senior status by the Supreme Court
15 of Appeals of West Virginia;

16 (4) Any family court judge;

17 (5) Any magistrate;

18 (6) Any prosecuting attorney;

19 (7) Any assistant prosecuting attorney; or

20 (8) Any duly appointed investigator employed by a prosecuting attorney.