

COMMITTEE SUBSTITUTE

for

H. B. 2756

(BY DELEGATE(S) TRECOST, LYNCH,
MARCUM, R. PHILLIPS, SPONAUGLE,
STATLER AND KELLY)

[Originating in the Committee on the Judiciary.]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 7. DANGEROUS WEAPONS.

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

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

3 (1) Any person:

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

5 (B) Carrying a firearm, unloaded, from the place of purchase
6 to his or her home, residence or place of business or to a place of
7 repair and back to his or her home, residence or place of
8 business; or

9 (C) Possessing a firearm while hunting in a lawful manner
10 or while traveling from his or her home, residence or place of
11 business to a hunting site and returning to his or her home,
12 residence or place of business;

13 (2) Any person who is a member of a properly organized
14 target-shooting club authorized by law to obtain firearms by
15 purchase or requisition from this state or from the United States
16 for the purpose of target practice from carrying any pistol, as
17 defined in this article, unloaded, from his or her home, residence

18 or place of business to a place of target practice and from any
19 place of target practice back to his or her home, residence or
20 place of business, for using any such weapon at a place of target
21 practice in training and improving his or her skill in the use of
22 the weapons;

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

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

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

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

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

39 (8) Any Hatfield-McCoy Regional Recreation Authority
40 Ranger while the ranger is on duty; ~~and~~

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

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

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

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

57 (2) Any circuit judge;

- 58 (3) Any retired justice or retired circuit judge designated
59 senior status by the Supreme Court of Appeals of West Virginia;
- 60 (4) Any family court judge;
- 61 (5) Any magistrate;
- 62 (6) Any prosecuting attorney;
- 63 (7) Any assistant prosecuting attorney; or
- 64 (8) Any duly appointed investigator employed by a
65 prosecuting attorney.

