

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2316**

BY DELEGATE CAPUTO

[Introduced February 9, 2017; Referred  
to the Committee on Veterans' Affairs and Homeland  
Security then Finance]

1 A BILL to amend and reenact §15-2-3 of the Code of West Virginia, 1931, as amended, relating  
 2 to requiring the Superintendent of the State Police to develop a plan to increase the  
 3 number of troopers to a minimum of eight hundred by July 1, 2018.

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

1 That §15-2-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted  
 2 to read as follows:

**ARTICLE 2. WEST VIRGINIA STATE POLICE.**

**§15-2-3. State Police structure; how established; training; special revenue account.**

1 (a) The superintendent shall create, appoint and equip the State Police which shall consist  
 2 of the number of troops, districts and detachments required for the proper administration of the  
 3 State Police. Each troop, district or detachment shall be composed of the number of officers and  
 4 members the superintendent determines are necessary to meet operational needs and are  
 5 required for the efficient operation of the State Police. The superintendent shall develop a program  
 6 to enable the state to attain a minimum number of eight hundred troopers by July 1, 2018. The  
 7 superintendent shall establish the general organizational structure of the State Police by  
 8 interpretive rule in accordance with ~~the provisions of~~ article three, chapter twenty-nine-a of this  
 9 code. The superintendent shall provide adequate facilities for the training of all members of the  
 10 State Police and shall prescribe basic training requirements for newly enlisted members. He or  
 11 she shall also provide advanced or in-service training, from time to time, for all members of the  
 12 State Police. The superintendent shall hold entry-level training classes for other law-enforcement  
 13 officers in the state without cost to those officers, except actual expenses for food, lodging and  
 14 school supplies. The superintendent may hold advanced levels of training classes for other law-  
 15 enforcement officers in the state for a reasonable daily fee per student not to exceed \$100.

16 (b) There is hereby created in the State Treasury a special revenue account, which shall  
 17 be an interest bearing account, to be known as the Academy Training and Professional  
 18 Development Fund. The special revenue account shall consist of training fees, any appropriations

19 that may be made by the Legislature, income from the investment of moneys held in the special  
20 revenue account and all other sums available for deposit to the special revenue account from any  
21 source, public or private. No expenditures, for purposes of this section, are authorized from  
22 collections except in accordance with the provisions of article three, chapter twelve of this code  
23 and upon fulfillment of the provisions set forth in article two, chapter eleven-b of this code. Any  
24 balance remaining in the special revenue account at the end of any state fiscal year does not  
25 revert to the General Revenue Fund but remains in the special revenue account and shall be  
26 used solely in a manner consistent with this article. The superintendent is authorized to expend  
27 funds from the account to offset operational and training costs; for building maintenance and  
28 repair; for purchases and for equipment repair or replacement for the West Virginia State Police  
29 Academy; and to defray necessary expenses incidental to those and other activities associated  
30 with law-enforcement training.

31 (c) There is hereby created in the State Treasury a special revenue account, which is an  
32 interest bearing account, to be known as the State Police 100th Anniversary Fund. The special  
33 revenue account shall consist of merchandise sales, any appropriations that may be made by the  
34 Legislature, income from the investment of moneys held in the special revenue account and all  
35 other sums available for deposit to the special revenue account from any source, public or private.  
36 No expenditures for purposes of this section are authorized from collections except in accordance  
37 with the provisions of article three, chapter twelve of this code and upon fulfillment of the  
38 provisions set forth in article two, chapter eleven-b of this code. Any balance remaining in the  
39 special revenue account at the end of any state fiscal year does not revert to the General Revenue  
40 Fund but remains in the special revenue account and shall be used solely in a manner consistent  
41 with this article. The superintendent is authorized to expend funds from the account to offset costs  
42 for the 100th anniversary celebration; for purchasing 100th anniversary commemorative  
43 merchandise, equipment and vehicles; and to defray necessary expenses incidental to those and  
44 other activities associated with the 100th anniversary of the West Virginia State Police. This fund

45 expires on December 31, 2019 and remaining funds shall be transferred to the Academy Training  
46 and Professional Development Fund.

47 (d) The superintendent may hold training classes for certification to access and use the  
48 West Virginia Automated Police Network (WEAPON) for a reasonable daily fee per student not to  
49 exceed \$100.

50 (e) There is hereby created in the State Treasury a special revenue account, which is an  
51 interest bearing account, to be known as the West Virginia State Police Criminal Justice  
52 Information Services Fund. The special revenue account shall consist of: Fees collected for  
53 training and certification for access to the West Virginia Automated Police Network (WEAPON)  
54 system; any appropriations that may be made by the Legislature; income from the investment of  
55 moneys held in the special revenue account; and all other sums available for deposit to the special  
56 revenue account from any source, public or private. Any balance remaining in the special revenue  
57 account at the end of any state fiscal year does not revert to the General Revenue Fund but  
58 remains in the special revenue account and may be used solely in a manner consistent with this  
59 article. The superintendent is authorized to expend funds from the account for the following  
60 purposes: To offset operational and training costs; for building maintenance and repair; for  
61 purchases and for equipment repair; personal services; software; other associated maintenance  
62 costs; and to defray necessary expenses incidental to those and other activities associated with  
63 the communications section of the West Virginia State Police.

NOTE: The purpose of this bill is to require the Superintendent of the State Police to develop a plan to increase the number of troopers to a minimum of eight hundred by July 1, 2018.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.