

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

Senate Bill 17

FISCAL
NOTE

BY SENATORS OJEDA AND BEACH

[Introduced January 10, 2018; Referred
to the Committee on Government Organization; and
then to the Committee on the Judiciary]

1 A BILL to amend and reenact §60-3-24 of the Code of West Virginia, 1931, as amended, relating
 2 to permitting appointees or employees of the Alcohol Beverage Control Commission who
 3 inspect bars to carry firearms at work after completing training at the State Police
 4 Academy.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. SALES BY COMMISSIONER.

§60-3-24. Authority of employees to make arrests; carry a firearm; penalty for resisting or assaulting employee; enforcement of chapter.

1 An appointee or employee of the commission shall have the authority of a peace officer,
 2 to arrest a person for an act committed on or about the premises of a state warehouse, state
 3 store, or agency, and in his or her presence, which amounts to:

- 4 (1) A violation of a provision of this chapter;
- 5 (2) Disorderly conduct.

6 The commission shall furnish its appointees and employees with an official badge as
 7 evidence of this authority. An appointee or employee who inspects bars may carry a firearm while
 8 at work after completion of firearms training at the State Police Academy.

9 A person who resists or commits an assault upon an appointee or employee of the
 10 commission while engaged in the performance of his or her duties hereunder shall be guilty of a
 11 misdemeanor and, upon conviction thereof shall be punished by a fine of not less than \$50 nor
 12 more than \$500, or by confinement in jail not less than thirty days nor more than six months, or,
 13 in the discretion of the court, by both such fine and imprisonment.

14 Members of the commission are hereby vested, and such officers, agents and employees
 15 of the commission as shall be designated by the commission shall, upon being so designated, be
 16 vested, with like power and authority to enforce the provisions of §60-1-1 *et seq.* of this code and
 17 the criminal laws of the state relating thereto as are vested in sheriffs of counties and members
 18 of the Department of Public Safety.

NOTE: The purpose of this bill is to permit appointees and employees of the Alcohol Beverage Control Commission who inspect bars to carry firearms at work after completing training at the State Police Academy.

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