

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

House Bill 4136

BY DELEGATES HAMILTON, STORCH, WAGNER, EVANS,

A., AND FOLK

[Introduced January 16, 2018; Referred
to the Committee on the Judiciary.]

1 A BILL to amend and reenacted §7-14-8 of the Code of West Virginia, 1931, as amended, relating
 2 to the age requirements of persons for the position of deputy sheriff.

Be it enacted by the Legislature of West Virginia:

ARTICLE 14. CIVIL SERVICE FOR DEPUTY SHERIFFS.

§7-14-8. Form of application; age requirements; exceptions.

1 The Civil Service Commission in each such county shall require persons applying for
 2 admission to any competitive examination provided for under this article or under the rules and
 3 regulations of the commission to file in its office, within a reasonable time prior to the proposed
 4 competitive examination, a formal application in which the applicant shall state under oath or
 5 affirmation:

6 (1) His or her full name, residence and post-office address;

7 (2) His or her United States citizenship, age and the place and date of his or her birth;

8 (3) His or her health and his or her physical capacity for the position of deputy sheriff;

9 (4) His or her business, employments and residences for at least three previous years;

10 and

11 (5) Such other information as may reasonably be required, relative to the applicant's
 12 qualifications and fitness for the position of deputy sheriff.

13 Blank forms for such applications shall be furnished by the commission, without charge,
 14 to all persons requesting the same. The commission may require, in connection with the
 15 application, such certificates of citizens, physicians or others, having pertinent knowledge
 16 concerning the applicant, as the good of the service may require.

17 No application for original appointment ~~shall~~ may be received on and after the effective
 18 date of this article, if the person applying is less than eighteen years of age or more than ~~forty-~~
 19 ~~five years~~ fifty years of age at the date of his or her application: *Provided*, That ~~in the event if~~ any
 20 applicant formerly served as a deputy sheriff for a period of more than six months in the county
 21 to which he or she makes application, and resigned as a deputy sheriff at a time when there were

22 no charges of misconduct or other misfeasance pending against him or her, within a period of two
23 years next preceding the date of his or her application, and at the time of his or her application
24 resides within the county in which he or she seeks appointment by reinstatement, then ~~such the~~
25 applicant ~~shall be~~ is eligible for appointment by reinstatement in the discretion of the Civil Service
26 Commission, even though ~~such the~~ applicant ~~shall be~~ is over the age of ~~forty-five years~~ fifty years,
27 provided he or she is not sixty-five years of age or over, and ~~such the~~ applicant, providing his or
28 her former term of service as a deputy sheriff so justifies, may be reappointed by reinstatement
29 without a competitive examination, but ~~such the~~ applicant shall undergo a medical examination;
30 and if ~~such the~~ applicant shall be so appointed by reinstatement as aforesaid, he or she shall be
31 the lowest in rank in the sheriff's office next above the probationers of the office.

NOTE: The purpose of this bill is to change the cut off age for persons applying for appointment as deputy sheriffs from forty-years of age to fifty years of age.

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