

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

House Bill 2765

By Delegates Steele, Burkhammer, Foster, Smith,

Holstein, Mazzocchi, Butler and Brooks

[By Request]

[Introduced January 18, 2023; Referred to the
Committee on Fire Departments and Emergency

Medical Services then the Judiciary

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §7-15-19; to amend said code by adding thereto a new section, designated §8-
 3 15-28; and to amend said code by adding thereto a new section, designated §16-4C-25, all
 4 relating to authorizing certain first responders to carry firearms; authorizing supervising
 5 entities to authorize ambulance crew members, firefighters, rescue squad members and
 6 emergency service personnel to carry firearms; specifying the training required for such
 7 persons to be eligible to carry a firearm; and allowing for reimbursement for the cost of the
 8 training.

Be it enacted by the Legislature of West Virginia:

CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.

ARTICLE 15. EMERGENCY AMBULANCE SERVICE ACT OF 1975.

§7-15-19. Ambulance crew’s authority to carry firearm.

1 Notwithstanding any provision of this code to the contrary, an authority may authorize an
 2 emergency medical service member to carry a handgun in the course of performing his or her
 3 official duties, if the member has first successfully completed an initial firearms training course
 4 equivalent to that provided to officers attending the entry level law-enforcement certification
 5 course provided at the West Virginia State Police Academy, and thereafter successfully completes
 6 an annual firearms qualification course equivalent to that required of certified law-enforcement
 7 officers as established by legislative rule.

CHAPTER 8. MUNICIPAL CORPORATIONS.

ARTICLE 15. FIRE FIGHTING; FIRE COMPANIES AND DEPARTMENTS; CIVIL SERVICE FOR PAID FIRE DEPARTMENTS.

§8-15-28. Firefighters’ and rescue squad members’ authority to carry firearm.

1 Notwithstanding any provision of this code to the contrary, a department may authorize a
 2 firefighter or rescue squad member to carry a handgun in the course of performing his or her

3 official duties, if the member has first successfully completed an initial firearms training course
4 equivalent to that provided to officers attending the entry level law-enforcement certification
5 course provided at the West Virginia State Police Academy, and thereafter successfully completes
6 an annual firearms qualification course equivalent to that required of certified law-enforcement
7 officers as established by legislative rule.

CHAPTER 16. PUBLIC HEALTH.

ARTICLE 4C. EMERGENCY MEDICAL SERVICES ACT.

§16-4C-25. Emergency medical service personnel's authority to carry firearm.

1 Notwithstanding any provision of this code to the contrary, an emergency medical service
2 agency may authorize emergency medical service personnel to carry a handgun in the course of
3 performing official duties, if that person has first successfully completed an initial firearms training
4 course equivalent to that provided to officers attending the entry level law-enforcement
5 certification course provided at the West Virginia State Police Academy, and thereafter
6 successfully completes an annual firearms qualification course equivalent to that required of
7 certified law-enforcement officers as established by legislative rule.

NOTE: The purpose of this bill is to authorize supervising entities to authorize ambulance crew members, firefighters, rescue squad members and emergency service personnel to carry firearms. It specifies the training required for them to be eligible to carry a firearm and allows them to be reimbursed for the cost of the training.

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