

# WEST VIRGINIA LEGISLATURE

## 2023 REGULAR SESSION

### Introduced

## House Bill 3219

FISCAL  
NOTE

By Delegates Nestor, Kump, Vance, Martin, Cannon,  
Longanacre, C. Pritt, Brooks, Butler, Holstein, and  
Steele

[Introduced February 02, 2023; Referred to the  
Committee on the Judiciary]

1 A BILL to amend and reenact §61-7-6 of the Code of West Virginia, 1931, as amended, relating to  
2 exempting retired magistrates from the fees to obtain a concealed carry handgun permit.

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

**ARTICLE 1. CRIMES AGAINST THE GOVERNMENT.**

**§61-7-6. Exceptions as to prohibitions against carrying concealed handguns for persons at least 18 years of age and fewer than 21 years of age; exemptions from licensing fees.**

1 (a) The provisions in §61-7-3 of this code do not apply to any person at least 18 years of  
2 age and fewer than 21 years of age who is:

3 (1) Carrying a deadly weapon upon his or her own premises;

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

7 (3) Possessing a firearm while hunting in a lawful manner or while traveling from his or her  
8 home, residence or place of business to a hunting site and returning to his or her home, residence  
9 or place of business;

10 (4) A member of a properly organized target-shooting club authorized by law to obtain  
11 firearms by purchase or requisition from this state or from the United States for the purpose of  
12 target practice from carrying any pistol, as defined in this article, unloaded, from his or her home,  
13 residence or place of business to a place of target practice and from any place of target practice  
14 back to his or her home, residence or place of business, for using any such weapon at a place of  
15 target practice in training and improving his or her skill in the use of the weapons;

16 (5) A law-enforcement officer or law-enforcement official or chief executive as defined in  
17 §30-29-1 of this code;

18 (6) An employee of the West Virginia Division of Corrections duly appointed pursuant to  
19 §25-1-11c of this code while the employee is on duty;

- 20 (7) A member of the United States armed forces, reserve or National Guard;
- 21 (8) A resident of another state who holds a valid permit or license to possess or carry a  
22 handgun issued by a state or a political subdivision subject to the provisions and limitations set  
23 forth in §61-7-6a of this code;
- 24 (9) A federal law-enforcement officer or federal police officer authorized to carry a weapon  
25 in the performance of the officer's duty; and
- 26 (10) A parole officer appointed pursuant to §62-12-14 of this code in the performance of  
27 his or her duties.
- 28 (b) The following judicial officers and prosecutors and staff are exempt from paying any  
29 application fees or licensure fees required under this article. However, they shall make application  
30 and satisfy all licensure and handgun safety and training requirements to obtain a license as set  
31 forth in §61-7-4 of this code:
- 32 (1) Any justice of the Supreme Court of Appeals of West Virginia;
- 33 (2) Any circuit judge;
- 34 (3) Any retired justice or retired circuit judge designated senior status by the Supreme  
35 Court of Appeals of West Virginia;
- 36 (4) Any family court judge;
- 37 (5) Any magistrate;
- 38 (6) Any retired magistrate;
- 39 ~~(6)~~ (7) Any prosecuting attorney;
- 40 ~~(7)~~ (8) Any assistant prosecuting attorney; or
- 41 ~~(8)~~ (9) Any duly appointed investigator employed by a prosecuting attorney.

NOTE: The purpose of this bill is to exempt retired magistrates from paying application fees in connection with obtaining a concealed carry handgun permit.

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