

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4803

By Delegates Kump, Ridenour, Householder, Mallow,
Hite, Kimble, Maynor, Foster, Marple, Heckert, and
Foggin

[Introduced January 16, 2024; Referred to
the Committee on Veterans' Affairs and Homeland
Security then the Judiciary]

1 A BILL to amend and reenact §8-14-15 of the Code of West Virginia, 1931, as amended, relating to
 2 changing the process of appointing eligible law enforcement officers after competitive
 3 examinations.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 14. LAW AND ORDER; POLICE FORCE OR DEPARTMENTS; POWERS,
 AUTHORITY AND DUTIES OF LAW-ENFORCEMENT OFFICIALS AND
 POLICEMEN; POLICE MATRONS; SPECIAL SCHOOL ZONE AND PARKING
 LOT OR PARKING BUILDING POLICE OFFICERS; CIVIL SERVICE FOR
 CERTAIN POLICE DEPARTMENTS.**

Part V. Civil Service for Certain Police Departments

§8-14-15. Appointments from list of eligibles.

1 Every position, unless filled by promotion, reinstatement, or reduction, shall be filled only in
 2 the manner specified in this section. The appointing officer shall notify the policemen's Civil
 3 Service Commission of any vacancy or vacancies in a position or positions which he or she
 4 desires to fill and shall request the certification of eligibles. The commission shall forthwith certify
 5 the names of at least one but no more than ~~three~~ five eligible individuals ranked according to their
 6 averages at preceding competitive examinations held under the civil service provisions of this
 7 article within a period of three years next preceding the date of the prospective appointment. The
 8 appointing officer shall, thereupon, with sole reference to the relative merit and fitness of the
 9 candidates, make an appointment or appointments from the names so certified. Additionally, hiring
 10 agencies have the discretion to hire among the lesser number of applicants if the number of
 11 ranking applicants is less than the optimum number: Provided, That should he make objection, to
 12 the commission, to one or more of these individuals, for any of the reasons stated in section
 13 fourteen of this article, and should such objection be sustained by the commission, after a public
 14 hearing along the lines of the hearing provided for in said section fourteen of this article, if any such

15 hearing is requested, the commission shall thereupon strike the name of any such individual from
16 the eligible list, and certify the next highest name for each individual so stricken. As each
17 subsequent vacancy occurs, in the same or another position, precisely the same procedure shall
18 be followed: *Provided, however,* That after any name has been three times rejected for the same
19 or another position in favor of a name or names below it on the same list, the said name shall be
20 stricken from the list. When there are a number of positions of the same kind to be filled at the
21 same time, each appointment shall, nevertheless, be made separately and in accordance with the
22 foregoing provisions. When an appointment is made under the provisions of this section it shall be,
23 in the first instance, for the probationary period of one year, as provided in §8-14-11 of this code.

NOTE: The purpose of this bill is to change the process of appointing eligible law enforcement officers after competitive examinations.

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