

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 764

By Senators Woodrum, Trump, and Deeds

[Introduced February 13, 2024; referred
to the Committee on Agriculture and Natural
Resources]

1 A BILL to amend and reenact §20-7-1b of the Code of West Virginia, 1931, as amended, relating to
 2 requiring the Director of the Division of Natural Resources to enter into written agreements
 3 with federal agencies in the state with law-enforcement duties on and in federal lands
 4 located within the boundaries of West Virginia to enforce state laws therein; establishing
 5 the position of special natural resources police officers; establishing authority and
 6 limitations thereon of special natural resources police officers; and setting forth necessary
 7 qualifications of the special natural resources police officers.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. LAW ENFORCEMENT, MOTORBOATING, LITTER.

§20-7-1b. Designation of certain federal law-enforcement officers as special natural resources police officers.

1 (a) The Legislature finds that it is in the mutual interest of the department and certain land
 2 management agencies of the United States to cooperate in the enforcement of state statutes and
 3 regulations within and adjacent to units of the National Park System, National Forests and U.S.
 4 Army Corps of Engineers projects located within the State of West Virginia.

5 (b) Accordingly, the ~~The~~ director of the ~~department of natural resources may~~ Division of
 6 Natural Resources shall enter into a written agreement with a federal agency providing for the
 7 appointment of employees of the federal agency as special natural resources police officers and
 8 setting forth the terms and conditions within which the federal employees may exercise the powers
 9 and duties of special natural resources police officers. The terms and conditions in the agreement
 10 shall grant a special natural resources police officer appointed pursuant to the agreement the
 11 same powers and duties as prescribed for a full-time salaried natural resources police officer of the
 12 department, but shall limit a special natural resources police officer in the exercise of his or her
 13 powers and duties to areas within the boundaries of the federal units to which the officer is
 14 assigned in his or her federal employment and to situations outside the boundaries of the federal

15 units where the exercise is for the mutual aid of natural resources police officers as set forth in the
16 agreement.

17 Any federal employee whose duties involve the enforcement of the criminal laws of the
18 United States and who possesses a valid law-enforcement certification issued by a federal land
19 management agency which certifies the meeting of requirements at least equivalent to the law-
20 enforcement officer training requirements promulgated pursuant to ~~article twenty-nine, chapter~~
21 ~~thirty~~ §30-29-1 et seq. of this code, may be certified under the provisions of said article twenty-nine
22 and appointed as a special natural resources police officer under the provisions of this section.
23 Any special natural resources police officer so appointed may not receive compensation or
24 benefits from the state or any political subdivisions thereof for the performance of his or her duties
25 as a special natural resources police officer.

NOTE: The purpose of this bill is to require Director of the Division of Natural Resources to enter into written agreements with federal agencies in the state with law enforcement duties on and in federal lands located within the boundaries of West Virginia to enforce state laws therein. The bill establishes the position of special natural resource police officers; establishes authority and limitations thereon of special natural resource police officers; and sets forth necessary qualifications of the special natural resources police officers.

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