

WEST VIRGINIA CODE: §1-1-6

§1-1-6. Concurrent jurisdiction in and over lands acquired by United States for military purposes.

(a) Consent of State. — The consent of this state is hereby given to the establishment of concurrent jurisdiction with the United States in and over any land acquired, or to be acquired, in this state by the United States for military purposes. Land acquired by the United States for military purposes includes, but is not limited to, land in this state that is acquired by the United States for use by the United States Armed Forces, the West Virginia National Guard, or any other federal department or agency for military purposes.

(b) Administrative Authority Delegated. — The Governor shall accept a request by the United States to establish concurrent jurisdiction over any land within the boundaries of this state acquired by the United States for military purposes, which acceptance shall be effective when each of the following have occurred:

(1) Request. — To request concurrent jurisdiction under this section, the principal officer of a military installation in the state or any other authorized representative of the United States having supervision and control over the land for which concurrent jurisdiction is sought shall send a written request for concurrent jurisdiction to the Governor. The request shall:

(A) Clearly state the subject matter for the concurrent jurisdiction request, specifically identifying whether it includes juvenile delinquency and status offenses committed on the land for which concurrent jurisdiction is sought;

(B) Provide a metes and bounds description of the boundary of the concurrent jurisdiction request; and

(C) Indicate whether the request includes future contiguous expansions of land acquired for military purposes.

(2) Acceptance. — The Governor shall send a written acceptance of the request for concurrent jurisdiction to the party who sent the request. The written acceptance shall confirm each of the elements of the request that are accepted.

(3) Filing. — Upon accepting a request for concurrence jurisdiction, the Governor shall cause the following to be recorded and indexed with the Secretary of State:

(A) The written request for concurrent jurisdiction;

(B) The written acceptance; and

(C) The metes and bounds description of the land subject to concurrent jurisdiction.

Upon filing, the Governor shall cause a certified copy of the recorded documents to be sent to the party who sent the request for concurrent jurisdiction.

(c) Local Agreements Authorized. — Upon the establishment of concurrent jurisdiction, any state or local agency may enter into a reciprocal agreement or memorandum of understanding with any agency of the United States for coordination and designation of responsibilities related to the concurrent jurisdiction.