WEST VIRGINIA CODE: §15-2D-8

§15-2D-8. Awarding service weapon upon retirement of Division of Protective Services member.

(a) Upon the retirement of a member of the Division of Protective Services, including the Director of the Division of Protective Services and Deputy Director of the Division of Protective Services, the Division of Protective Services shall award to the retiring member his or her service weapon, without charge, upon determining:

(1) That the member is retiring honorably with a minimum of 10 years of service; or

(2) The member is retiring with less than 10 years of service based upon a determination that the employee is totally physically disabled as a result of his or her service with the Division of Protective Services.

(b) Notwithstanding the provisions of subsection (a) of this section, the Division of Protective Services shall not award a service weapon to any member whom the Division of Protective Services:(1) Knows is prohibited from possessing a firearm by state or federal law, (2) has reason to believe such retiring member to be mentally incapacitated, or (3) has reason to believe the retiring member constitutes a danger to any person or the community.

(c) If a service weapon is taken out of service due to routine wear, the Division of Protective Services may offer the service weapon for sale, at fair market value, to any active or retired Division of Protective Services member. The Director of the Division of Protective Services, or his or her designee, may use the proceeds from any sales to offset the cost of new service weapons. The disposal of service weapons pursuant to this section does not fall within the jurisdiction of the Purchasing Division of the Department of Administration.

WV Legislature