WEST VIRGINIA CODE: §8-15-28

§8-15-28. Awarding service weapon upon retirement.

(a) Upon the retirement of a municipal fire marshal, any full-time deputy fire marshal, or any full-time assistant fire marshal employed pursuant to this article, the municipal fire department shall award to the retiring member his or her service weapon, without charge, upon determining:

(1) That the retiring employee is retiring honorably with at least 20 years of service; or

(2) The retiring employee is retiring with less than 20 years of service based upon a determination that the employee is totally physically disabled as a result of his or her service with the municipal fire department.

(b) Notwithstanding the provisions of subsection (a) of this section, the municipal fire department may not award a service weapon to any employee whom the municipal fire department knows is prohibited from possessing a firearm, finds to be mentally incapacitated, or who constitutes a danger to any person or the community.

(c) If a service weapon is taken out of service due to routine wear, the municipal fire department may offer the service weapon for sale to any active or retired municipal fire marshal, assistant fire marshal, or deputy fire marshal, at fair market value, with the proceeds from any sales used to offset the cost of new service weapons. The disposal of service weapons pursuant to this subsection does not fall within the jurisdiction of the Purchasing Division of the Department of Administration.

WV Legislature