

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1943

---

ENROLLED

SENATE BILL No. 190

(By Mr. Johnston)

PASSED March 9 1943

In Effect March 9 Passage



190

ENROLLED  
Senate Bill No. 190

(By MR. JOHNSTON, by request)

---

[Passed March 9, 1943; in effect ninety days from passage.]

---

AN ACT to amend and reenact section nineteen, article two, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, relating to suspension or removal of members of the department of public safety.

*Be it enacted by the Legislature of West Virginia:*

That section nineteen, article two, chapter fifteen of the code of West Virginia, one thousand nine hundred and thirty-one, be amended and reenacted to read as follows:

Section 19. *Suspension or Removal of Members.* The  
2 superintendent may suspend or remove from the service

3 any member of the department of public safety for any  
4 of the following causes, to-wit: Refusing to obey the orders  
5 of his superior officer, neglect of duty, drunkenness, im-  
6 morality, inefficiency, abuse of his authority, interference  
7 with the lawful right of any person, participation in politi-  
8 cal primaries, conventions or elections, or any other  
9 cause that may in the opinion of the superintendent be  
10 necessary for the good of the service. The superintendent  
11 shall act when notice of such causes shall be brought to  
12 his attention or upon charges in writing filed by any one  
13 and supported by proper affidavit. In the event the  
14 superintendent shall fail to suspend or dismiss any such  
15 officer or member after such matters have come to his  
16 knowledge, or such charges and proof thereof have been  
17 made and filed with him by any person or persons, an  
18 appeal may be had to the board of commissioners created  
19 for such purpose, and all of the original papers in such  
20 cases shall be delivered by the superintendent to such  
21 board, who shall decide such cases in the manner herein-  
22 after provided.

23 Any person who shall by the superintendent be ap-  
24 pointed to membership in said department pursuant to  
25 authority of chapter sixty, acts of the Legislature of  
26 West Virginia, regular session, one thousand nine hun-  
27 dred forty one, may at any time be discharged at the  
28 will and pleasure of the superintendent and without the  
29 assignment of cause.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Roy Garrison  
Chairman Senate Committee

Fred H. Patoff  
Chairman House Committee

Originated in the Senate

Takes effect Unity program passage

W. Hale Warren  
Clerk of the Senate

J. Klipp  
Clerk of the House of Delegates

James Paule  
President of the Senate

John C. Bruce  
Speaker House of Delegates

The within approved this the 15<sup>th</sup>  
day of March, 1943.

Matthew M. Neely  
Governor.



Filed in the office of the Secretary of State  
of West Virginia **MAR 15 1943**

Wm. S. O'BRIEN,  
Secretary of State