WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1961

ENROLLED
SENATE BILL NO. [Signature]
(By Mr. [Signature])

PASSED March 10th, 1961
In Effect from Passage

Filed in Office of the Secretary of State
MAR 17 1961
of West Virginia
JOE F. BURDETT
SECRETARY OF STATE
ENROLLED

Senate Bill No. 244

(By Mr. Carson, Mr. President, and Mr. Carrigan)

[Passed March 10, 1961; in effect from passage.]

AN ACT to amend chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article designated article eight, relating to creating a West Virginia sheriffs' bureau; providing powers and duties therefor, and providing penalties.

Be it enacted by the Legislature of West Virginia:

That chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article designated article eight, to read as follows:


Section 1. West Virginia Sheriffs' Bureau.—For the purpose of providing better law enforcement for our
counties and state and to effectuate better law enforce-
ment on our highways, there is hereby created the West
Virginia sheriffs' bureau. Said bureau shall be consti-
tuted by the governor, as chairman, the attorney general
and five sheriffs of the counties of West Virginia, to be
selected by the governor, each for a term of two years,
commencing July first, one thousand nine hundred sixty-
one; except that three of the first five sheriffs designated
July first, one thousand nine hundred sixty-one, shall
serve terms expiring July first, one thousand nine hun-
dred sixty-two, at which time new selections for a regular
two-year term shall be made. Any vacancy on the bureau
shall be filled for the remainder of the unexpired term by
selection of the governor.

Sec. 2. General Powers and Duties.—The bureau shall
have the power to contract and be contracted with, to
recommend cooperative policies for the coordination of
the law enforcement work of county agencies and county
officials having law enforcement duties, in seeking to
promote cooperation between all state and local law
officers, in securing efficient and effective law enforce-
ment, in eliminating duplication of work, and in promoting economy of operation in such agencies through the central purchase of supplies and equipment for all local law enforcement agencies. The bureau is authorized to accept contributions from counties but it shall neither solicit nor accept contributions from persons, firms or corporations.

Sec. 3. Executive Secretary.—The bureau shall employ an executive secretary, and such other clerical and technical personnel as are required, at salaries to be fixed within available funds by the bureau, to perform such duties as the bureau may prescribe.

Sec. 4. Training of Peace Officers Approved by the Bureau; Bureau Authorized to Order Training.—The bureau may contract or agree with any state university or college in West Virginia or any other organization for such university, college or other organization to provide training for peace officers, which training shall embrace police techniques in detecting crime, apprehending criminals, securing and preserving evidence. All law enforcement officers selected by the various law enforcement agencies,
if their selection is approved by the bureau, shall receive such training free with the exception of actual cost of housing and meals.

The county courts are authorized to pay the necessary travel and living expenses of sheriffs and deputies of their respective counties while receiving training.

Sec. 5. *Purchase of Equipment and Supplies; Facilities of Other State Agencies to be Available to Bureau.*—The bureau shall be governed by all laws regulating the purchase of supplies and equipment as other state agencies, and may enter into contracts with other state agencies. The bureau may use the facilities of the state department of purchases and avail itself of the benefits of any general contract held by said department for the purchase of any equipment or supplies for state agencies.

All equipment purchased through the bureau shall be in the name of the bureau and the bureau is authorized to contract with counties, sheriffs or deputy sheriffs for the return of any supplies or equipment purchased from funds contributed to the fund by each such county, sheriff or deputy sheriff upon request.
Sec. 6. Sheriffs; Motor Vehicle Color Combination; Badges; Uniforms; Simulation Prohibited; Penalties.—

(1) The bureau may by proper rules and regulations adopt a standard color for use on the motor vehicles used by the various sheriffs and deputy sheriffs of West Virginia.

(2) For purposes of uniformity the bureau may establish a standard badge and uniform to be worn by all sheriffs and deputy sheriffs.

(3) On and after the first day of January, nineteen hundred sixty-five, it shall be unlawful for any sheriff or deputy sheriff to wear other than standard uniform and badge as provided by the preceding paragraph, except when engaged in undercover work or other similar duties wherein the identity of the officer should be undisclosed. When so adopted by the bureau it shall be unlawful for any person other than sheriffs and deputy sheriffs to wear an official sheriff's badge or uniform as prescribed by the bureau, or to wear a badge or insignia of such similarity to the official sheriff's badge as to be indistinguishable therefrom at a distance of twenty feet: Provided, That
nothing herein shall be construed to prevent members of
any military, fraternal, or similar organization or any
other law enforcement officer from wearing any insignia
officially adopted or worn prior to the effective date of
this section.

(4) Violation of any of the provisions of this section
shall be a misdemeanor and subject to a fine of not more
than five hundred dollars or imprisonment in the county
jail not to exceed six months, or both such fine and im-
prisonment.

Sec. 7. Sheriffs' Bureau Special Fund.—The West Vir-
ginia sheriffs' bureau is authorized, empowered, and di-
rected to establish in the state treasury a special fund to
be known as "the West Virginia sheriffs' bureau special
fund", hereinafter referred to as "the fund". The fund
shall be only for the purpose of purchasing equipment and
supplies at the request of the various sheriffs' depart-
ments of the state of West Virginia, or the counties of
the state of West Virginia, and any balance in the fund
at the end of any fiscal year shall remain in the fund and
shall not expire or revert. Payments shall be made out
of the fund upon requisition of the secretary of the bureau by means of a warrant signed by the auditor and treasurer.

Sec. 8. Payments Into Sheriffs' Bureau Fund.—The fund shall consist of payments made into the fund by any county of the state of West Virginia, by any sheriff or deputy sheriff of any county in the state of West Virginia, for the purchase of equipment or supplies for any county, sheriff or deputy sheriff in the state of West Virginia:

Provided, however, That when the use of the fund is requested by a county, sheriff or deputy sheriff, satisfactory proof must be supplied to and required by the bureau that such supplies and equipment are to be used primarily for a public purpose.

Sec. 9. Payments From Sheriffs' Bureau Fund.—On proper authorization by the secretary of the bureau and under proper rules and regulations of the bureau, payments shall be made from the fund to cover the cost of any supplies or equipment requested by any county, sheriff, or deputy sheriff to be purchased for said county,
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7 sheriff or deputy sheriff by the bureau: *Provided, however,* That the secretary shall not be authorized to purchase or contract for purchase any supplies or equipment for any county, sheriff or deputy sheriff until that county, sheriff or deputy sheriff has a sufficient balance in the fund to fully cover the cost of such purchase.

Sec. 10. *Misuse of the Fund, Penalties.*—It shall be unlawful for any person authorized to purchase through the fund to use any equipment or supplies primarily for his personal use and, upon conviction shall be fined not less than one hundred nor more than five hundred dollars, or imprisoned in the county jail not exceeding one year, or both in the discretion of the court.

Sec. 11. *County Courts Contribution to Fund.*—In addition to the provisions of chapter seven, article seven, section seven of this code, the county court may pay on requisition of the sheriff of the county, at the first of each month, a reasonable amount sufficient to cover the cost of purchase of gasoline necessary to meet the needs of the duties of sheriff and deputies of the county.
Sec. 12. *Tax Exemption.*—Any supplies or equipment purchased by the bureau through its special fund shall be exempt from any taxes of the state of West Virginia.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 17th day of March, 1961.

Governor

Filed in Office of the Secretary of State of West Virginia

MAR 17 1961

JOE F. BURDETT
SECRETARY OF STATE