WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973

ENROLLED

HOUSE BILL No. 35

(By Mr. Speaker, Mr. Maness, and Mr. Liebert)

PASSED March 9, 1973

In Effect 90 days from Passage

Filed in the Office of
EDGAR F. HECKELL, III
SECRETARY OF STATE
This Date 3-19-73
AN ACT to repeal section twenty-four, article two, and section ten-b, article eleven, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend article twenty-six of said chapter by adding thereto a new section, designated section eight-a, all relating to security officers at state institutions of higher education, their qualifications, authority, compensation and removal.

Be it enacted by the Legislature of West Virginia:

That section twenty-four, article two, and section ten-b, article eleven, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that article twenty-six of said chapter be amended by adding thereto a new section, designated section eight-a, all to read as follows:

ARTICLE 26. WEST VIRGINIA BOARD OF REGENTS.

§18-26-8a. Security officers; appointment; qualifications; authority; compensation and removal.

1 The West Virginia board of regents is hereby authorized to
2 appoint bona fide residents of this state to act as security offi-
3 cers upon any premises owned or leased by the state of West
4 Virginia and under the jurisdiction of the board of regents,
5 subject to the conditions and restrictions hereinafter imposed.
6 Before entering upon the performance of his duties as such
7 security officer in any county, each person so appointed shall
8 qualify therefor in the same manner as is required of consta-
bles by the taking and filing of an oath of office as required by article one, chapter six of this code and by the posting of an official bond as required by article two, chapter six of this code. No such person shall have authority to carry a gun or any other dangerous weapon until he shall have obtained a license therefor in the manner prescribed by section two, article seven, chapter sixty-one of this code.

It shall be the duty of any person so appointed and qualified to preserve law and order on any premises under the jurisdiction of the board of regents to which he may be assigned by the president of the college or university. For this purpose he shall as to offenses committed on such premises have and may exercise all the powers and authority and shall be subject to all the responsibilities of regularly elected constables of the county. The assignment of security officers to any premises under the jurisdiction of the board shall not be deemed to supersede in any way the authority or duty of other peace officers to preserve law and order on such premises. In addition, the security officers appointed under provisions of this section shall have authority to assist local peace officers on public highways in the control of traffic in and around premises owned by the state of West Virginia whenever such traffic is generated as a result of athletic or other activities conducted or sponsored by a state college or university.

The salary of all such security officers shall be paid by the board of regents. Each institution may furnish each such security officer with an official uniform to be worn while on duty and shall furnish and require each such officer while on duty to wear a shield with an appropriate inscription and to carry credentials certifying to his identity and to his authority as a security officer.

The board of regents may at its pleasure revoke the authority of any such officer and the president of the college or university shall report the termination of employment of any such security officer by filing a notice to that effect in the office of the clerk of each county in which his oath of office was filed, and in the case of officers licensed to carry a gun or other dangerous weapon by notifying the clerk of the circuit court of the county in which the license therefor was granted.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House.
Takes effect ninety days 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 16th day of March, 1973.

Governor
PRESENTED TO THE
GOVERNOR

Date 3/15/73
Time 10:30 a.m.