

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1973



ENROLLED

HOUSE BILL No. 854

(By Mr. Speake, Mr. McManus and
Mr. Siebert)



PASSED March 9 1973

In Effect 90 days from Passage



FILED IN THE OFFICE
OF DAN F. WICKELL III
SECRETARY OF STATE
THIS DATE 3-19-73

4-5-8

ENROLLED

House Bill No. 854

(By MR. SPEAKER, MR. MCMANUS, and MR. SEIBERT)

[Passed March 9, 1973; in effect ninety days from passage.]

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article eleven, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that article twenty-six of said chapter be amended by adding thereto a new section, designated section eight-a, all to read as follows: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

9 bles by the taking and filing of an oath of office as required by
10 article one, chapter six of this code and by the posting of an
11 official bond as required by article two, chapter six of this
12 code. No such person shall have authority to carry a gun or
13 any other dangerous weapon until he shall have obtained a
14 license therefor in the manner prescribed by section two, arti-
15 cle seven, chapter sixty-one of this code.

16 It shall be the duty of any person so appointed and quali-
17 fied to preserve law and order on any premises under the jur-
18 isdiction of the board of regents to which he may be assigned
19 by the president of the college or university. For this purpose
20 he shall as to offenses committed on such premises have and
21 may exercise all the powers and authority and shall be subject
22 to all the responsibilities of regularly elected constables of the
23 county. The assignment of security officers to any premises
24 under the jurisdiction of the board shall not be deemed to
25 supersede in any way the authority or duty of other peace of-
26 ficers to preserve law and order on such premises. In addition,
27 the security officers appointed under provisions of this section
28 shall have authority to assist local peace officers on public
29 highways in the control of traffic in and around premises own-
30 ed by the state of West Virginia whenever such traffic is gen-
31 erated as a result of athletic or other activities conducted or
32 sponsored by a state college or university.

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

40 The board of regents may at its pleasure revoke the author-
41 ity of any such officer and the president of the college or
42 university shall report the termination of employment of any
43 such security officer by filing a notice to that effect in the
44 office of the clerk of each county in which his oath of office
45 was filed, and in the case of officers licensed to carry a gun
46 or other dangerous weapon by notifying the clerk of the cir-
47 cuit court of the county in which the license therefor was
48 granted.

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

H. David Dorby
Chairman Senate Committee

Joseph C. Christian Jr
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard W. Cannon
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

H. T. Brotherton Jr
President of the Senate

Lewis T. McNamee
Speaker House of Delegates

The within *approved* this the *16th*
day of *March*, 1973.

Arwa. Pharr Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 3/15/73

Time 10:30 a.m.