

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-25-79

Time 3:50 p.m.

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1979

— ● —

ENROLLED

HOUSE BILL No. 1541

(By Mr. Nehrl)

— ● —

Passed March 10, 1979

In Effect Ninety Days From Passage



No. 1541

ENROLLED

H. B. 1541

(By MRS. WEHRLE)

[Passed March 10, 1979; in effect ninety days from passage.]

AN ACT to amend and reenact section eight-a, article twenty-six, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to granting college or university security officers authority to preserve law and order and assist local peace officers in traffic control on certain streets and roads adjacent to or passing through premises under the jurisdiction of the board of regents.

Be it enacted by the Legislature of West Virginia:

That section eight-a, article twenty-six, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted 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
2 to appoint bona fide residents of this state to act as
3 security officers upon any premises owned or leased by the
4 state of West Virginia and under the jurisdiction of the
5 board of regents, subject to the conditions and restrictions
6 hereinafter imposed. Before entering upon the performance
7 of his duties as such security officer in any county, each
8 person so appointed shall qualify therefor in the same man-
9 ner as is required of county officers by the taking and
10 filing an oath of office as required by article one, chapter

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

17 It shall be the duty of any person so appointed and
18 qualified, to preserve law and order on any premises under
19 the jurisdiction of the board of regents and on any other
20 street, road or thoroughfare, except controlled access and
21 open county highways, adjacent to or passing through such
22 premises, to which he may be assigned by the president of
23 the college or university. For this purpose he shall as to
24 offenses committed within any area so assigned have and
25 may exercise all the powers and authority and shall be subject
26 to all the responsibilities of a deputy sheriff of the county.
27 The assignment of security officers to the duties authorized
28 by this section shall not be deemed to supersede in any way
29 the authority or duty of other peace officers to preserve law
30 and order on such premises. In addition, the security officers
31 appointed under provisions of this section shall have authority
32 to assist local peace officers on public highways in the control
33 of traffic in and around premises owned by the state of West
34 Virginia whenever such traffic is generated as a result of
35 athletic or other activities conducted or sponsored by a state
36 college or university and when such assistance has been re-
37 quested by the local peace officers.

38 The salary of all such security officers shall be paid by the
39 board of regents. Each institution may furnish each such secur-
40 ity officer with an official uniform to be worn while on duty and
41 shall furnish and require each such officer while on duty to
42 wear a shield with an appropriate inscription and to carry cre-
43 dentials certifying to his identity and to his authority as a
44 security officer.

45 The board of regents may at its pleasure revoke the authority
46 of any such officer and the president of the college or univer-
47 sity shall report the termination of employment of any such
48 security officer by filing a notice to that effect in the office of

49 the clerk of each county in which his oath of office was filed,
50 and in the case of officers licensed to carry a gun or other
51 dangerous weapon by notifying the clerk of the circuit court
52 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.

James L. Davis
Chairman Senate Committee

Clarence C. Christian Jr.
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

James L. Davis Jr.
Clerk of the Senate

Clarence C. Christian Jr.
Clerk of the House of Delegates

James L. Davis Jr.
President of the Senate

Clyde M. Lee Jr.
Speaker House of Delegates

The within *is approved* this the *25*
day of *March*, 1979.

John D. Rhymer
Governor

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