

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-31-82

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1982

— ● —

ENROLLED

Com. Sub. for
HOUSE BILL No. 1362

(By Mr. Hendricks)

— ● —

Passed March 11, 1982

In Effect Ninety Days From Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 1362

(By MR. HENDRICKS)

[Passed March 11, 1982; in effect ninety days from passage.]

AN ACT to amend article twelve, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section five-a, relating to the general powers of municipalities, their governing bodies, officers and employees; and limiting the power of such municipalities to regulate the ownership of any revolver, pistol, rifle or shotgun or the ammunition used therewith.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 12. GENERAL AND SPECIFIC POWERS, DUTIES AND ALLIED RELATIONS OF MUNICIPALITIES, GOVERNING BODIES AND MUNICIPAL OFFICERS AND EMPLOYEES; SUITS AGAINST MUNICIPALITIES.

§8-12-5a. Limitations upon municipalities' power to restrict ownership of certain weapons and ammunition.

- 1 The provisions of section five of this article notwithstanding,
- 2 neither a municipality nor the governing body of any
- 3 municipality shall have the power to limit the right of any

4 person to own any revolver, pistol, rifle or shotgun or any
5 ammunition or ammunition components to be used therewith
6 nor to so regulate the keeping of gunpowder so as to directly or
7 indirectly prohibit the ownership of such ammunition. Nothing
8 herein shall in any way impair the authority of any munici-
9 pality, or the governing body thereof, to enact any ordinance or
10 resolution respecting the power to arrest, convict and punish
11 any individual under the provisions of subdivision (16), sec-
12 tion five of this article or from enforcing any such ordinance
13 or resolution.

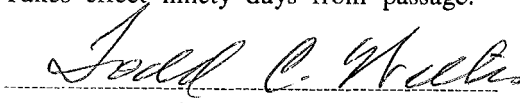
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

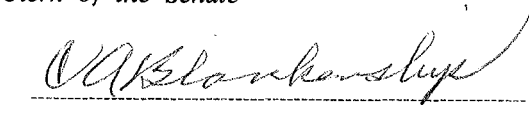
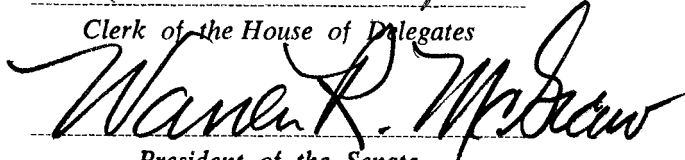

Chairman Senate Committee

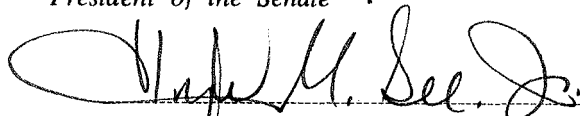

Chairman House Committee

Originating 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 is approved this the 31
day of ~~March~~ March, 1982.


Governor

RECEIVED

MAR 15 10 29 AM '82

OFFICE OF THE GOVERNOR

RECEIVED

82 MAR 31 PM: 29

ST. JOE
SECY. OF STATE