WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1996

ENROLLED

Com. Sub. for

HOUSE BILL No. 4484

(By Delegate Michael Mezo, Messenger, Brian Collins, Ryan Ashley, and Farcloth)

Passed March 9, 1996

In Effect 90 Days From Passage
AN ACT to amend and reenact section five-a, article twelve, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, restricting municipal powers to limit the rights of persons with respect to firearms and ammunition; exception; and effective date.

Be it enacted by the Legislature of West Virginia:

That section five-a, article twelve, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted 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 the purchase, possession, transfer, ownership, carrying, transport, sale and storage of certain weapons and ammunition.

(a) Notwithstanding the provisions of section five of
this article, no municipality, after the effective date of this section, may enact an ordinance which is more restrictive of a person's ability to purchase, own, possess, transfer, transport or store a firearm or ammunition than any federal or state provision of law which restricts such ability of a person.

(b) Nothing in this section shall limit the authority of a municipality to enact an ordinance exercising the authority granted to municipalities by the provisions of subdivision (16), section five of this article: Provided, That no municipality shall, after the effective date of this section, enact any ordinance limiting the ability of a person possessing a state-wide license to carry a concealed weapon in a manner not proscribed by federal or state law.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker of the House of Delegates

The within is disapproved 1st day of April, 1996.

[Signature]
Governor
PRESENTED TO THE
GOVERNOR/
Date 3/27/46
Time 2:16 p.m.