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WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



ENROLLED

House Bill No. 4296

(By Delegates Smirl, Trump, Thomas,
Staton, Kominar and Martin)



Passed March 14, 1998

In Effect Ninety Days from Passage



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H. B. 4296

(BY DELEGATES SMIRL, TRUMP, THOMAS,
STATON, KOMINAR AND MARTIN)

[Passed March 14, 1998; in effect ninety days from passage.]

AN ACT to amend and reenact section six, article seven, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to allowing individuals from other states to carry a concealed weapon in this state and authorizing the governor to execute reciprocity agreements with other states and political subdivisions regarding the carrying of concealed weapons.

Be it enacted by the Legislature of West Virginia:

That section six, article seven, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

§61-7-6. Exceptions as to prohibitions against carrying concealed deadly weapons.

1 The licensure provisions set forth in this article shall
2 not apply to:

3 (1) Any person carrying a deadly weapon upon his
4 own premises; nor shall anything herein prevent a person
5 from carrying any firearm, unloaded, from the place of
6 purchase to his or her home, residence or place of
7 business or to a place of repair and back to his or her
8 home, residence or place of business, nor shall anything

9 herein prohibit a person from possessing a firearm while
10 hunting in a lawful manner or while traveling from his or
11 her home, residence or place of business to a hunting site,
12 and returning to his or her home, residence or place of
13 business;

14 (2) Any person who is a member of a properly
15 organized target-shooting club authorized by law to
16 obtain firearms by purchase or requisition from this state,
17 or from the United States for the purpose of target
18 practice, from carrying any pistol, as defined in this article,
19 unloaded, from his home, residence or place of business to
20 a place of target practice, and from any such place of
21 target practice back to his home, residence or place of
22 business, for using any such weapon at such place of
23 target practice in training and improving his skill in the
24 use of such weapons;

25 (3) Any law-enforcement officer or law-enforcement
26 official as such are defined in section one, article
27 twenty-nine, chapter thirty of this code;

28 (4) Any employee of the West Virginia department of
29 corrections duly appointed pursuant to the provisions of
30 section five, article five, chapter twenty-eight of this code
31 while such employee is on duty;

32 (5) Any member of the armed forces of the United
33 States or the militia of this state while such member is on
34 duty;

35 (6) Any circuit judge, including any retired circuit
36 judge designated senior status by the supreme court of
37 appeals of West Virginia, prosecuting attorney, assistant
38 prosecuting attorney or a duly appointed investigator
39 employed by a prosecuting attorney;

40 (7) Any resident of another state, who has been issued
41 a license to carry a concealed weapon by a state or a
42 political subdivision which has entered into a reciprocity
43 agreement with this state, shall be exempt from the
44 licensing requirements of section four of this article. The
45 governor may execute reciprocity agreements on behalf

46 of the state of West Virginia with states or political
47 subdivisions which have similar gun permitting laws and
48 which recognize and honor West Virginia licenses issued
49 pursuant to section four of this article.

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

Roby Anderson
Chairman Senate Committee

Nick Fontana
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Kerrelle Adams
Clerk of the Senate

Bryony M. Day
Clerk of the House of Delegates

Carl Ray Imbler
President of the Senate

Robert W. Mize
Speaker of the House of Delegates

The within *approved* this the *8th*
day of *April*, 1998.

Roby Anderson
Governor

PRESENTED TO THE

GOVERNOR

Date

3/31/98

Time

11:15 am