

FILED

2015 MAR 25 P 3: 22

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
FIRST REGULAR SESSION, 2015



**ENROLLED**

**House Bill No. 2780**

(By Delegate(s) Pasdon, Staller, Kurcaba,  
Duke, Sobonya, Espinosa, Rohrbach, Fleischauer,  
Miller and Morgan)



Passed March 12, 2015

In effect ninety days from passage.

HB 2780

**E N R O L L E D**

**H. B. 2780**

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(BY DELEGATE(S) PASDON, STATLER, KURCABA,  
DUKE, SOBONYA, ESPINOSA, ROHRBACH, FLEISCHAUER,  
MILLER AND MORGAN)

[Passed March 12, 2015;  
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AN ACT to amend and reenact §18B-4-5 of the Code of West Virginia, 1931, as amended, and to amend and reenact §30-29-8 of said code, all relating to enhancing the ability of campus police officers at state institutions of higher education to perform their duties; authorizing certain higher education campus police officers to receive compensation for attending law-enforcement training academies; authorizing governing boards to apply for certain funds available to law-enforcement agencies; authorizing governing boards to compensate campus police officers for attending law-enforcement training academies; and providing for agreements to reimburse employers for wages and expenses of employees trained but not continuing employment.

*Be it enacted by the Legislature of West Virginia:*

That § 18B-4-5 of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that §30-29-8 of said code be amended and reenacted, all to read as follows:

**CHAPTER 18B. HIGHER EDUCATION.**

**ARTICLE 4. GENERAL ADMINISTRATION.**

**§18B-4-5. Campus police officers; appointment; qualifications; authority; compensation and removal; law enforcement grants.**

1 (a) The governing boards may appoint bona fide residents of  
2 this state to serve as campus police officers upon any premises  
3 owned or leased by the State of West Virginia and under the  
4 jurisdiction of the governing boards, subject to the conditions  
5 and restrictions established in this section.

6 (1) A person who previously was qualified for employment  
7 as a law-enforcement officer for a state agency or political  
8 subdivision of the state is considered certified for appointment  
9 as a campus police officer at the state institutions of higher  
10 education under the jurisdiction of the governing boards of  
11 Marshall University and West Virginia University.

12 (2) Before performing duties as a campus police officer in  
13 any county, a person shall qualify as is required of county police  
14 officers by:

15 (A) Taking and filing an oath of office as required by article  
16 one, chapter six of this code; and

17 (B) Posting an official bond as required by article two,  
18 chapter six of this code.

19 (b) A campus police officer may carry a gun and any other  
20 dangerous weapon while on duty if the officer fulfills the  
21 certification requirement for law-enforcement officers under  
22 section five, article twenty-nine, chapter thirty of this code or  
23 meets the requirements of subsection (a) of this section.

24 (c) It is the duty of a campus police officer to preserve law  
25 and order:

26 (1) On the premises under the jurisdiction of the governing  
27 board; and

28 (2) On any street, road or thoroughfare, except controlled  
29 access and open country highways, immediately adjacent to or  
30 passing through premises, to which the officer is assigned by the  
31 president of the institution.

32 (A) For the purpose of this subdivision, the campus police  
33 officer is a law-enforcement officer pursuant to the provisions of  
34 section one, article twenty-nine, chapter thirty of this code.

35 (B) The officer has and may exercise all the powers and  
36 authority of a law-enforcement officer as to offenses committed  
37 within the area assigned;

38 (C) The officer is subject to all the requirements and  
39 responsibilities of a law-enforcement officer;

40 (D) Authority assigned pursuant to this subdivision does not  
41 supersede in any way the authority or duty of other  
42 law-enforcement officers to preserve law and order on such  
43 premises.

44 (E) Campus police officers may assist a local  
45 law-enforcement agency on public highways. The assistance  
46 may be provided to control traffic in and around premises owned  
47 by the state when:

48 (i) Traffic is generated as a result of athletic or other  
49 activities conducted or sponsored by the institution; and

50 (ii) The assistance has been requested by the local  
51 law-enforcement agency; and

52 (F) Campus police officers may assist a local  
53 law-enforcement agency in any location under the agency's  
54 jurisdiction at the request of the agency.

55 (d) The salary of a campus police officer is paid by the  
56 employing governing board. A state institution may furnish each  
57 campus police officer with a firearm and an official uniform to  
58 be worn while on duty. The institution shall furnish and require  
59 each officer while on duty to wear a shield with an appropriate  
60 inscription and to carry credentials certifying the person's  
61 identity and authority as a campus police officer.

62 (e) A governing board may at its pleasure revoke the  
63 authority of any campus police officer and such officers serve at  
64 the will and pleasure of the governing board. The president of  
65 the state institution shall report the termination of employment  
66 of a campus police officer by filing a notice to that effect in the  
67 office of the clerk of each county in which the campus police  
68 officer's oath of office was filed.

69 (f) Notwithstanding any other provisions of this code to the  
70 contrary, and for purposes of enhancing the ability of campus  
71 police officers to perform their duties, a governing board may  
72 apply for and receive any public or private grant or other  
73 financial award that is available to other law-enforcement  
74 agencies in the state.

## **CHAPTER 30. PROFESSIONS AND OCCUPATIONS.**

### **ARTICLE 29. LAW-ENFORCEMENT TRAINING AND CERTIFICATION.**

#### **§30-29-8. Compensation for employees attending law-enforcement training academy; limitations; agreements to reimburse employers for wages and expenses of employees trained but not continuing employment.**

1 (a) A West Virginia law-enforcement agency shall, and a  
2 governing board may, pay compensation to employees, including  
3 wages, salaries, benefits, tuition and expenses, for the  
4 employees' attendance at a law-enforcement training academy.  
5 The compensation paid to the employees for such attendance

6 may not include overtime compensation under the provisions of  
7 section three, article five-c, chapter twenty-one of this code and  
8 shall be at the regular rate to which each employee would be  
9 entitled for a workweek of forty hours in regular employment  
10 with the employer.

11 (b) In consideration for such compensation, the governing  
12 board, county commission or municipal government may  
13 require each employee to enter into a written agreement in  
14 advance of such attendance that obligates the employee to repay  
15 the employer if he or she voluntarily discontinues employment  
16 within one year immediately following completion of the  
17 training curriculum. The amount of repayment shall be a pro rata  
18 portion of the total compensation which is equal to the portion  
19 of the year which the employee chose not to remain employed.

20 (c) As used in this section, "governing board" has the  
21 meaning ascribed in section two, article one, chapter eighteen-b  
22 of this code.

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


  
Chairman, House Committee

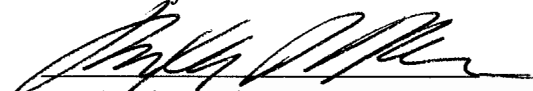
  
Chairman, Senate Committee

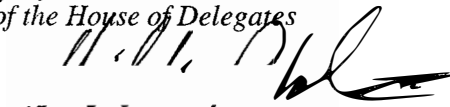
Originating in the House.

In effect ninety days from passage.

  
Clerk of the House of Delegates

  
Clerk of the Senate

  
Speaker of the House of Delegates

  
President of the Senate

The within is approved this the 25th  
day of March, 2015.

  
Governor

PRESENTED TO THE GOVERNOR

MAR 18 2015

Time 5:15 pm