

**WEST VIRGINIA LEGISLATURE**

**2017 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 2939**

BY DELEGATE HAMILTON

[Passed April 5, 2017; in effect ninety days from passage.]

HB 2939

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

2017 APR 24 P 4: 17

FILED

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1 AN ACT to amend and reenact §15-2-17 of the Code of West Virginia, 1931, as amended; to  
2 amend and reenact §15-2E-3 and §15-2E-5 of said code, all relating to the sale of items  
3 in the State Police Academy post exchange to the public.

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

1 That §15-2-17 of the Code of West Virginia, 1931, as amended, be amended and  
2 reenacted; that §15-2E-3 and §15-2E-5 of said code be amended and reenacted, all to read as  
3 follows:

## **CHAPTER 15. PUBLIC SAFETY.**

### **ARTICLE 2. WEST VIRGINIA STATE POLICE.**

#### **§15-2-17. Unauthorized use of uniform, badge or other insignia; impersonation of member; penalty.**

1 Every person who is not a member of the department is hereby forbidden to wear, use,  
2 order to be used or worn, copy or imitate in any respect or manner the uniform, badge, insignia  
3 and equipment prescribed for members of the West Virginia State Police, and any person who  
4 shall violate the provisions of this article, for which no other penalty is expressly provided, and  
5 any person who shall falsely represent himself or herself to be an officer or member of the West  
6 Virginia State Police, or to be under the order or direction of any officer or member of said  
7 department, or who shall, unless an officer or member thereof, wear the uniform prescribed for  
8 members of said department, or the badge or other insignia adopted or used by said department,  
9 shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$200,  
10 or confined in the county jail for not more than six months, or both fined and confined: *Provided,*  
11 That items sold at the State Police post exchange as outlined in article two-e of this chapter do  
12 not qualify as agency issued uniforms, badge, insignia or equipment.

### **ARTICLE 2E. STATE POLICE ACADEMY POST EXCHANGE.**

#### **§15-2E-3. Operation of post exchange.**

1 (a) The State Police post exchange may offer items for sale as approved by the  
2 superintendent.

3 (b) The post exchange may only be open at such times as may be established by the  
4 superintendent.

5 (c) The superintendent shall appoint state police employees to supervise the operation of  
6 the post exchange.

7 (d) The superintendent shall establish a system of bookkeeping, accounting and auditing  
8 procedures for the proper handling of funds derived from the operation of the post exchange.

9 (e) The superintendent shall post a sign in the post exchange which states: "In accordance  
10 with the provisions of section seventeen, article two, chapter fifteen of the code, it is unlawful for  
11 every person who is not a member of the State Police to wear or use the State Police uniform,  
12 badge, emblem or other insignia. Any person, who is not a member of the State Police, who wears  
13 or uses the State Police uniform, badge, emblem or other insignia shall be guilty of a misdemeanor  
14 and, upon conviction thereof, shall be fined or jailed or both fined and jailed".

**§15-2E-5. Use of funds from post exchange revenue.**

1 All proceeds derived from the operation of the post exchange and any money derived from  
2 the operation of vending machines, after the payment of operating expenses, notwithstanding any  
3 provision of this code to the contrary, must be used exclusively for the publication of the cadet  
4 class yearbook, capital outlay, equipment and for repair and alteration of the State Police  
5 academy.

The 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

FILED  
2011 APR 24 P 4: 18  
OFFICE WEST VIRGINIA  
SECRETARY OF STATE

The within is approved this the 24th  
April day of ..... 2017.

  
.....  
Governor

PRESENTED TO THE GOVERNOR

APR 18 2017

Time 3:15 pm