WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

ENROLLED

Senate Bill 427

BY SENATORS TAKUBO, LINDSAY, PHILLIPS, BALDWIN,
MAYNARD, AND ROMANO

[Passed March 08, 2022; in effect 90 days from passage]
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[Passed March 08, 2022; in effect 90 days from passage]
AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
designated §30-3-19, relating to permitting West Virginia Board of Medicine investigators
to carry a concealed weapon; establishing procedures and criteria for allowing
investigators to carry a concealed weapon; and limiting liability for good faith acts or
omissions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. WEST VIRGINIA MEDICAL PRACTICE ACT.

§30-3-19. West Virginia Board of Medicine investigators’ authority to carry concealed
weapon.

(a) Notwithstanding any provision of this code to the contrary, the board may allow,
consistent with this section, an investigator employed or contracted by the board to carry a
concealed firearm while performing his or her official duties.

(b) An investigator employed by the board or contracted by the board may carry a
concealed firearm while performing his or her official duties solely for the purposes of defense of
self or others if the investigator has:

(1) Obtained approval by a majority vote of the board;
(2) Been determined not to be prohibited from possessing a firearm under state or federal
law;
(3) Obtained and maintains a concealed handgun license pursuant to §61-7-1 et seq. of
this code; and
(4) Successfully completed a firearms training and certification program equivalent to that
provided to officers attending an entry level law-enforcement certification course provided at the
West Virginia State Police Academy. The investigator must thereafter successfully complete an
annual firearms qualification course equivalent to that required of certified law-enforcement
officers as established by legislative rule. The board may reimburse the investigator for the cost
of the training and requalification.
(c) Neither the state, a political subdivision, an agency, nor an employee of the state acting in an official capacity may be held personally liable for an act of an investigator employed by the board if the act or omission was done in good faith while the investigator was performing official duties on behalf of the board.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, Senate Committee

Originated in the Senate.

In effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 23rd Day of March, 2022.

Governor
PRESENTED TO THE GOVERNOR

MAR 19 2022

Time 11:46 a.m.