

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Enrolled

Senate Bill 147

BY SENATORS RUCKER, DEEDS, HAMILTON, HUNT,

OLIVERIO, PHILLIPS, ROBERTS, SWOPE, TARR,

WOODRUM, CHAPMAN, AND JEFFRIES

[Passed March 8, 2024; in effect 90 days from
passage (June 6, 2024)]

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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1 AN ACT to amend and reenact §61-7-4 and §61-7-4a of the Code of West Virginia, 1931, as
2 amended, all relating to concealed deadly weapons licenses; adding definition of
3 "ammunition" for purposes of the live fire requirement for obtaining a license to carry a
4 deadly weapon; adding definition of "ammunition" for purposes of the live fire requirement
5 for obtaining a provisional license to carry a deadly weapon; clarifying that ammunition
6 designed for training including marking rounds and simulated ammunition may be used in
7 the required training course; and removing the requirement that an applicant for a
8 concealed deadly weapon license or a provisional concealed deadly weapon license must
9 provide a Social Security number.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. DANGEROUS WEAPONS.

§61-7-4. License to carry deadly weapons; how obtained.

1 (a)(1) Except as provided in §61-7-4(q) of this code, a legal resident or citizen of West
2 Virginia desiring to obtain a state resident license to carry a concealed deadly weapon shall apply
3 to the sheriff of his or her county for the license, and pay to the sheriff, at the time of application,
4 a fee of \$50. A concealed weapons license may only be issued for pistols and revolvers.

5 (2) A legal resident or citizen of another state of the United States desiring to obtain a
6 nonresident state license to carry a concealed deadly weapon shall apply to a sheriff of any county
7 in this state for the license, and pay to the sheriff, at the time of application, a fee of \$100. A
8 concealed weapons license may only be issued for pistols and revolvers.

9 (b) Each applicant for a state resident license or nonresident license to carry a concealed
10 deadly weapon shall file with the sheriff a complete application, as prepared by the
11 Superintendent of the West Virginia State Police, in writing, duly verified, which sets forth only the
12 following licensing requirements:

13 (1) The applicant's full name, date of birth, a description of the applicant's physical
14 features, the applicant's place of birth, the applicant's country of citizenship, and, if the applicant

15 is not a United States citizen, any alien or admission number issued by the United States Bureau
16 of Immigration and Customs Enforcement, and any basis, if applicable, for an exception to the
17 prohibitions of 18 U.S.C. §922(g)(5)(B);

18 (2) That, on the date the application is made, the applicant is a bona fide United States
19 citizen or legal resident thereof and either a resident of this state and of the county in which the
20 application is made or a resident of another state in the United States and has a valid driver's
21 license or other state-issued or federally issued photo identification showing the residence;

22 (3) That the applicant is 21 years of age or older;

23 (4) That the applicant is not addicted to alcohol, a controlled substance, or a drug and is
24 not an unlawful user thereof as evidenced by either of the following within the three years
25 immediately prior to the application:

26 (A) Residential or court-ordered treatment for alcoholism or alcohol detoxification or drug
27 treatment; or

28 (B) Two or more convictions for driving while under the influence or driving while impaired;

29 (5) That the applicant has not been convicted of a felony unless the conviction has been
30 expunged or set aside, or the applicant's civil rights have been restored or the applicant has been
31 unconditionally pardoned for the offense;

32 (6) That the applicant has not been convicted of a misdemeanor crime of violence other
33 than an offense set forth in subdivision (7) of this subsection in the five years immediately
34 preceding the application;

35 (7) That the applicant has not been convicted of a misdemeanor crime of domestic
36 violence as defined in 18 U.S.C. §921(a)(33), or a misdemeanor offense of assault or battery
37 either under §61-2-28 of this code or §61-2-9(b) or §61-2-9(c) of this code, in which the victim
38 was a current or former spouse, current or former sexual or intimate partner, person with whom
39 the defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a

40 member of the defendant's household at the time of the offense, or a misdemeanor offense with
41 similar essential elements in a jurisdiction other than this state;

42 (8) That the applicant is not under indictment for a felony offense or is not currently serving
43 a sentence of confinement, parole, probation, or other court-ordered supervision imposed by a
44 court of any jurisdiction, is the subject of an emergency or temporary domestic violence protective
45 order, or is the subject of a final domestic violence protective order entered by a court of any
46 jurisdiction;

47 (9) That the applicant has not been adjudicated to be mentally incompetent or involuntarily
48 committed to a mental institution. If the applicant has been adjudicated mentally incompetent or
49 involuntarily committed, the applicant shall provide a court order reflecting that the applicant is no
50 longer under such disability and the applicant's right to possess or receive a firearm has been
51 restored;

52 (10) That the applicant is not prohibited under the provisions of §61-7-7 of this code or
53 federal law, including 18 U.S.C. §922(g) or (n), from receiving, possessing, or transporting a
54 firearm;

55 (11) That the applicant has qualified under the minimum requirements set forth in
56 subsection (e) of this section for handling and firing the weapon: *Provided*, That this requirement
57 shall be waived in the case of a renewal applicant who has previously qualified; and

58 (12) That the applicant authorizes the sheriff of the county, or his or her designee, to
59 conduct an investigation relative to the information contained in the application.

60 (c) For both initial and renewal applications, the sheriff shall conduct an investigation
61 including a nationwide criminal background check consisting of inquiries of the National Instant
62 Criminal Background Check System, the West Virginia criminal history record responses, and the
63 National Interstate Identification Index, and shall review the information received in order to verify
64 that the information required in subsection (b) of this section is true and correct. A license may
65 not be issued unless the issuing sheriff has verified through the National Instant Criminal

66 Background Check System that the information available to him or her does not indicate that
67 receipt or possession of a firearm by the applicant would be in violation of the provisions of §61-
68 7-7 of this code or federal law, including 18 U.S.C. §922(g) or (n).

69 (d)(1) Twenty-five dollars of the resident license application fee shall be deposited into the
70 State Treasury and credited to the account of the State Police, and \$25 of the application fee and
71 any fees for replacement of lost or stolen licenses received by the sheriff shall be deposited by
72 the sheriff into a concealed weapons license administration fund. The fund shall be administered
73 by the sheriff and shall take the form of an interest-bearing account with any interest earned to be
74 compounded to the fund. Any funds deposited in this concealed weapon license administration
75 fund are to be expended by the sheriff to pay the costs associated with issuing concealed
76 weapons licenses. Any surplus in the fund on hand at the end of each fiscal year may be
77 expended for other law-enforcement purposes or operating needs of the sheriff's office, as the
78 sheriff considers appropriate.

79 (2) Fifteen dollars of the nonresident license application fee shall be deposited in the
80 Courthouse Facilities Improvement Fund created by §29-26-6 of this code; \$25 of the application
81 fee shall be deposited into the State Treasury and credited to the account of the State Police for
82 the purchase of vehicles, equipment for vehicles, and maintenance of vehicles; and \$60 of the
83 application fee shall be deposited in the concealed weapons license administration fund to be
84 administered as provided in this subsection.

85 (e) All persons applying for a license shall complete a training course in handling and firing
86 a handgun, which includes the actual live firing of ammunition by the applicant. The successful
87 completion of any of the following courses fulfills this training requirement: *Provided*, That the
88 completed course includes the actual live firing of ammunition by the applicant: *Provided however*,
89 That for purposes of this subsection, the term "ammunition" means ammunition or cartridge
90 cases, primers, bullets, or propellant powder designed for use in any firearm and includes
91 ammunition designed for training such as marking rounds and simulated training loads:

92 (1) Any official National Rifle Association handgun safety or training course;

93 (2) Any handgun safety or training course or class available to the general public offered
94 by an official law-enforcement organization, community college, junior college, college, or private
95 or public institution or organization, or handgun training school using instructors certified by the
96 institution;

97 (3) Any handgun training or safety course or class conducted by a handgun instructor
98 certified as such by the state or by the National Rifle Association;

99 (4) Any handgun training or safety course or class conducted by any branch of the United
100 States military, reserve, or National Guard, or proof of other handgun qualification received while
101 serving in any branch of the United States military, reserve, or National Guard.

102 A photocopy of a certificate of completion of any of the courses or classes or an affidavit
103 from the instructor, school, club, organization, or group that conducted or taught the course or
104 class attesting to the successful completion of the course or class by the applicant or a copy of
105 any document which shows successful completion of the course or class is evidence of
106 qualification under this section and shall include the instructor's name, signature, and NRA or
107 state instructor identification number, if applicable.

108 (f) All concealed weapons license applications must be notarized by a notary public duly
109 licensed under §39-4-1 *et seq.* of this code. Falsification of any portion of the application
110 constitutes false swearing and is punishable under §61-5-2 of this code.

111 (g) The sheriff shall issue a license unless he or she determines that the application is
112 incomplete, that it contains statements that are materially false or incorrect, or that applicant
113 otherwise does not meet the requirements set forth in this section. The sheriff shall issue, reissue,
114 or deny the license within 45 days after the application is filed if all required background checks
115 authorized by this section are completed.

116 (h) A license in effect as of the effective date of the amendments to this section enacted
117 during the 2019 regular session of the Legislature shall, subject to revocation for cause, be valid

118 until the licensee's birthday during the fifth year from the date of issuance or five years from the
119 date of issuance, whichever is later in time. Renewals of such licenses and licenses newly issued
120 after the effective date of the amendments to this section enacted during the 2019 regular session
121 of the Legislature, subject to revocation for cause, are valid for a period of five years from the
122 licensees' most recent birthday.

123 (i) Each license shall contain the full name and address of the licensee and a space upon
124 which the signature of the licensee shall be signed with pen and ink. The issuing sheriff shall sign
125 and attach his or her seal to all license cards. The sheriff shall provide to each new licensee a
126 duplicate license card, in size similar to other state identification cards and licenses, suitable for
127 carrying in a wallet, and the license card is considered a license for the purposes of this section.
128 All duplicate license cards issued on or after July 1, 2017, shall be uniform across all 55 counties
129 in size, appearance, and information and shall feature a photograph of the licensee.

130 (j) The Superintendent of the West Virginia State Police, in cooperation with the West
131 Virginia Sheriffs' Bureau of Professional Standards, shall prepare uniform applications for both
132 resident and nonresident licenses and license cards showing that the license has been granted
133 and shall do any other act required to be done to protect the state and see to the enforcement of
134 this section.

135 (k) If an application is denied, the specific reasons for the denial shall be stated by the
136 sheriff denying the application. Any person denied a license may file, in the circuit court of the
137 county in which the application was made, a petition seeking review of the denial. The petition
138 shall be filed within 30 days of the denial. The court shall then determine whether the applicant is
139 entitled to the issuance of a license under the criteria set forth in this section. The applicant may
140 be represented by counsel, but in no case is the court required to appoint counsel for an applicant.
141 The final order of the court shall include the court's findings of fact and conclusions of law. If the
142 final order upholds the denial, the applicant may file an appeal in accordance with the Rules of
143 Appellate Procedure of the Supreme Court of Appeals. If the findings of fact and conclusions of

144 law of the court fail to uphold the denial, the applicant may be entitled to reasonable costs and
145 attorney's fees, payable by the sheriff's office which issued the denial.

146 (l) If a license is lost or destroyed, the person to whom the license was issued may obtain
147 a duplicate or substitute license for a fee of \$5 by filing a notarized statement with the sheriff
148 indicating that the license has been lost or destroyed.

149 (m) Whenever an applicant or licensee relocates from the address provided in his or her
150 application to another address, he or she shall comply with the following notification requirements:

151 (1) Within 20 days of a resident licensee relocating from the address provided in his or her
152 application to another county in the state, he or she shall provide written notification of the
153 relocation to the sheriff of the county to which he or she moved and provide his or her new
154 address. The sheriff shall then issue a new resident license bearing the licensee's new address
155 and the original expiration date, for a fee not to exceed \$5. The license remains valid for the
156 remainder of the original five-year term, unless the sheriff has determined that the person is no
157 longer eligible for a concealed weapon license under the provisions of this article.

158 (2) Within 20 days of a resident licensee relocating from the address provided in his or her
159 application to an address outside the state, he or she shall provide written notification to the sheriff
160 of the issuing county of the relocation and provide his or her new address. The sheriff shall then
161 issue a new nonresident license bearing the licensee's new address and the original expiration
162 date, for a fee not to exceed \$5. The license remains valid for the remainder of the original five-
163 year term unless the sheriff has determined that the person is no longer eligible for a concealed
164 weapon license under the provisions of this article: *Provided*, That any renewal of the license in
165 the new jurisdiction after expiration requires the payment of a nonresident license fee.

166 (3) Within 20 days of a nonresident licensee relocating from the address provided in his
167 or her application to another address outside of the state, he or she shall provide written
168 notification of the relocation to the sheriff of the issuing county and provide his or her new address.
169 The sheriff shall then issue a new nonresident license bearing the licensee's new address and

170 original expiration date, for a fee not to exceed \$5. This license remains valid for the remainder
171 of the original five-year term, unless the sheriff has determined that the person is no longer eligible
172 for a concealed weapon license under the provisions of this article.

173 (4) Within 20 days of a nonresident licensee relocating to West Virginia from the address
174 provided in his or her application, he or she shall provide written notification of the relocation to
175 the sheriff of the county to which he or she has moved and provide his or her new address. The
176 sheriff shall then issue a new resident license bearing the licensee's new address and the original
177 expiration date, for a fee not to exceed \$5. This license remains valid for the remainder of the
178 original five-year term, unless the sheriff has determined that the person is no longer eligible for
179 a concealed weapon license under the provisions of this article.

180 (n) The sheriff shall, immediately after the license is granted under this section furnish the
181 Superintendent of the West Virginia State Police a certified copy of the approved application. The
182 sheriff shall furnish to the Superintendent of the West Virginia State Police at any time so
183 requested a certified list of all licenses issued in the county. The Superintendent of the West
184 Virginia State Police shall maintain a registry of all persons who have been issued concealed
185 weapons licenses.

186 (o) The sheriff shall deny any application or revoke any existing license upon
187 determination that any of the licensing application requirements established in this section have
188 been violated by the licensee.

189 (p) A person who is engaged in the receipt, review, or in the issuance or revocation of a
190 concealed weapon license does not incur any civil liability as the result of the lawful performance
191 of his or her duties under this article.

192 (q) Notwithstanding subsection (a) of this section, with respect to application for a resident
193 license by an honorably discharged veteran of the armed forces of the United States, reserve, or
194 National Guard, or a former law-enforcement officer honorably retired from agencies governed by
195 §7-14-1 *et seq.* of this code, §8-14-1 *et seq.* of this code, §15-2-1 *et seq.* of this code, and §20-

196 7-1 *et seq.* of this code, an honorably retired officer or an honorably discharged veteran of the
197 armed forces of the United States, reserve, or National Guard, is exempt from payment of fees
198 and costs as otherwise required by this section. All other application and background check
199 requirements set forth in this section are applicable to these applicants.

200 (r) Information collected under this section, including applications, supporting documents,
201 permits, renewals, or any other information that would identify an applicant for, or holder of, a
202 concealed weapon license, is confidential: *Provided*, That this information may be disclosed to a
203 law-enforcement agency or officer: (i) To determine the validity of a license; (ii) to assist in a
204 criminal investigation or prosecution; or (iii) for other lawful law-enforcement purposes. A person
205 who violates this subsection is guilty of a misdemeanor and, upon conviction, shall be fined not
206 less than \$50 or more than \$200 for each offense.

207 (s) A person who pays fees for training or application pursuant to this article after the
208 effective date of this section is entitled to a tax credit equal to the amount actually paid for training
209 not to exceed \$50: *Provided*, That if such training was provided for free or for less than \$50, then
210 such tax credit may be applied to the fees associated with the initial application.

211 (t) Except as restricted or prohibited by the provisions of this article or as otherwise
212 prohibited by law, the issuance of a concealed weapon license issued in accordance with the
213 provisions of this section authorizes the holder of the license to carry a concealed pistol or revolver
214 on the lands or waters of this state.

§61-7-4a. Provisional license to carry deadly weapons; how obtained.

1 (a) Any person who is at least 18 years of age and less than 21 years of age who desires
2 to obtain a state license to carry a concealed deadly weapon shall apply to the sheriff of his or her
3 county for a provisional license, and pay to the sheriff, at the time of application, a fee of \$15.
4 Provisional licenses may only be issued for pistols or revolvers. Each applicant shall file with the
5 sheriff a complete application, as prepared by the Superintendent of the West Virginia State
6 Police, in writing, duly verified, which sets forth only the following licensing requirements:

7 (1) The applicant's full name, date of birth, a description of the applicant's physical
8 features, the applicant's place of birth, the applicant's country of citizenship and, if the applicant
9 is not a United States citizen, any alien or admission number issued by the United States Bureau
10 of Immigration and Customs Enforcement, and any basis, if applicable, for an exception to the
11 prohibitions of 18 U. S. C. §922(g)(5)(B);

12 (2) That, on the date the application is made, the applicant is a bona fide resident of this
13 state and of the county in which the application is made and has a valid driver's license or other
14 state-issued photo identification showing the residence;

15 (3) That the applicant is at least 18 years of age and less than 21 years of age;

16 (4) That the applicant is not addicted to alcohol, a controlled substance or a drug and is
17 not an unlawful user thereof as evidenced by either of the following within the three years
18 immediately prior to the application:

19 (A) Residential or court-ordered treatment for alcoholism or alcohol detoxification or drug
20 treatment; or

21 (B) Two or more convictions for driving while under the influence or driving while impaired;

22 (5) That the applicant has not been convicted of a felony unless the conviction has been
23 expunged or set aside, or the applicant's civil rights have been restored or the applicant has been
24 unconditionally pardoned for the offense;

25 (6) That the applicant has not been convicted of a misdemeanor crime of violence other
26 than an offense set forth in subdivision (7) of this section within five years immediately preceding
27 the application;

28 (7) That the applicant has not been convicted of a misdemeanor crime of domestic
29 violence as defined in 18 U. S. C. §921(a)(33), or a misdemeanor offense of assault or battery
30 under either §61-2-28 of this code or §61-2-9(b) or §61-2-9(c) of this code in which the victim was
31 a current or former spouse, current or former sexual or intimate partner, person with whom the
32 defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a

33 member of the defendant's household at the time of the offense, or a misdemeanor offense with
34 similar essential elements in a jurisdiction other than this state;

35 (8) That the applicant is not under indictment for a felony offense or is not currently serving
36 a sentence of confinement, parole, probation or other court-ordered supervision imposed by a
37 court of any jurisdiction, or is the subject of an emergency or temporary domestic violence
38 protective order or is the subject of a final domestic violence protective order entered by a court
39 of any jurisdiction;

40 (9) That the applicant has not been adjudicated to be mentally incompetent or involuntarily
41 committed to a mental institution. If the applicant has been adjudicated mentally incompetent or
42 involuntarily committed, the applicant must provide a court order reflecting that the applicant is no
43 longer under such disability and the applicant's right to possess or receive a firearm has been
44 restored;

45 (10) That the applicant is not prohibited under section seven of this article or federal law,
46 including 18 U. S. C. §922(g) or (n), from receiving, possessing, or transporting a firearm;

47 (11) That the applicant has qualified under the minimum requirements set forth in
48 subsection (d) of this section for handling and firing the weapon;

49 (12) That the applicant authorizes the sheriff of the county, or his or her designee, to
50 conduct an investigation relative to the information contained in the application.

51 (b) For provisional license applications, the sheriff shall conduct an investigation including
52 a nationwide criminal background check consisting of inquiries of the National Instant Criminal
53 Background Check System, the West Virginia criminal history record responses and the National
54 Interstate Identification Index, and shall review the information received in order to verify that the
55 information required in subsection (a) of this section is true and correct. A provisional license may
56 not be issued unless the issuing sheriff has verified through the National Instant Criminal
57 Background Check System that the information available does not indicate that receipt of or

58 possession of a firearm by the applicant would be in violation of the provisions of section seven
59 of this article or federal law, including 18 U. S. C. §922(g) or (n).

60 (c) Fifteen dollars of the application fee and any fees for replacement of lost or stolen
61 provisional licenses received by the sheriff shall be deposited by the sheriff into a concealed
62 weapons license administration fund. The fund shall be administered by the sheriff and shall take
63 the form of an interest-bearing account with any interest earned to be compounded to the fund.
64 Any funds deposited in said fund are to be expended by the sheriff to pay the costs associated
65 with issuing concealed weapons provisional licenses. Any surplus in the fund on hand at the end
66 of each fiscal year may be expended for other law-enforcement purposes or operating needs of
67 the sheriff's office, as the sheriff considers appropriate.

68 (d) All persons applying for a provisional license must complete a training course in
69 handling and firing a handgun, which includes the actual live firing of ammunition by the applicant.
70 The successful completion of any of the following courses fulfills this training requirement:
71 *Provided*, That the completed course included the actual live firing of ammunition by the applicant:
72 *Provided, however*, That for purposes of this subsection, the term "ammunition" means
73 ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any
74 firearm and includes ammunition designed for training such as marking rounds and simulated
75 training loads:

76 (1) Any official National Rifle Association handgun safety or training course;

77 (2) Any handgun safety or training course or class available to the general public offered
78 by an official law-enforcement organization, community college, junior college, college, or private
79 or public institution, or organization or handgun training school utilizing instructors certified by the
80 institution;

81 (3) Any handgun training or safety course or class conducted by a handgun instructor
82 certified as such by the state or by the National Rifle Association;

83 (4) Any proof of current or former service in the United States armed forces, armed forces
84 reserves or National Guard.

85 A photocopy of a certificate of completion of any of the courses or classes or an affidavit
86 from the instructor, school, club, organization, or group that conducted or taught the course or
87 class attesting to the successful completion of the course or class by the applicant, or a copy of
88 any document which shows successful completion of the course or class, is evidence of
89 qualification under this section. Certificates, affidavits, or other documents submitted to show
90 completion of a course or class shall include instructor information and proof of instructor
91 certification, including, if applicable, the instructor's NRA instructor certification number.

92 (e) All provisional license applications must be notarized by a notary public duly licensed
93 under §29-4-1 *et seq.* of this code. Falsification of any portion of the application constitutes false
94 swearing and is punishable under section two, article five of this chapter.

95 (f) The sheriff shall issue a provisional license unless the sheriff determines that the
96 application is incomplete, that it contains statements that are materially false or incorrect or that
97 applicant otherwise does not meet the requirements set forth in this section. The sheriff shall
98 issue, reissue, or deny the license within 45 days after the application is filed once all required
99 background checks authorized by this section are completed.

100 (g) Before any approved license is issued or is effective, the applicant shall pay to the
101 sheriff a fee in the amount of \$15 which the sheriff shall forward to the Superintendent of the West
102 Virginia State Police within 30 days of receipt. The provisional license is valid until the licensee
103 turns 21 years of age, unless sooner revoked.

104 (h) Each provisional license shall contain the full name and address of the licensee and a
105 space upon which the signature of the licensee shall be signed with pen and ink. The issuing
106 sheriff shall sign and attach his or her seal to all provisional license cards. The sheriff shall provide
107 to each new licensee a duplicate license card, in size similar to other state identification cards
108 and licenses, suitable for carrying in a wallet, and the license card is considered a license for the

109 purposes of this section. Duplicate license cards issued shall be uniform across all 55 counties in
110 size, appearance and information and must feature a photograph of the licensee. The provisional
111 license shall be readily distinguishable from a license issued pursuant to section four of this article
112 and shall state: "NOT NICS EXEMPT. This license confers the same rights and privileges to carry
113 a concealed pistol or revolver on the lands or waters of this state as a license issued pursuant to
114 §61-7-4 of this code, except that this license does not satisfy the requirements of 18 U. S. C.
115 §922(t)(3). A NICS check must be performed prior to purchase of a firearm from a federally
116 licensed firearm dealer."

117 (i) The Superintendent of the West Virginia State Police, in coordination with the West
118 Virginia Sheriffs' Bureau of Professional Standards, shall prepare uniform applications for
119 provisional licenses and license cards showing that the license has been granted and shall
120 perform any other act required to protect the state and to enforce this section.

121 (j) If an application is denied, the specific reasons for the denial shall be stated by the
122 sheriff denying the application. Any person denied a provisional license may file, in the circuit
123 court of the county in which the application was made, a petition seeking review of the denial. The
124 petition shall be filed within 30 days of the denial. The court shall then determine whether the
125 applicant is entitled to the issuance of a provisional license under the criteria set forth in this
126 section. The applicant may be represented by counsel, but in no case is the court required to
127 appoint counsel for an applicant. The final order of the court shall include the court's findings of
128 fact and conclusions of law. If the final order upholds the denial, the applicant may file an appeal
129 in accordance with the Rules of Appellate Procedure of the Supreme Court of Appeals. If the
130 findings of fact and conclusions of law of the court fail to uphold the denial, the applicant may be
131 entitled to reasonable costs and attorney's fees, payable by the sheriff's office which issued the
132 denial.

133 (k) If a provisional license is lost or destroyed, the person to whom the license was issued
134 may obtain a duplicate or substitute license for a fee of \$5 by filing a notarized statement with the
135 sheriff indicating that the license has been lost or destroyed.

136 (l) Whenever any person after applying for and receiving a provisional concealed weapon
137 license moves from the address named in the application to another county within the state, the
138 license remains valid until the licensee turns 21 years of age unless the sheriff of the new county
139 has determined that the person is no longer eligible for a provisional concealed weapon license
140 under this article, and the sheriff shall issue a new provisional license bearing the person's new
141 address and the original expiration date for a fee not to exceed \$5: *Provided*, That the licensee
142 within 20 days thereafter notifies the sheriff in the new county of residence in writing of the old
143 and new addresses.

144 (m) The sheriff shall, immediately after the provisional license is granted, furnish the
145 Superintendent of the West Virginia State Police a certified copy of the approved application. The
146 sheriff shall furnish to the Superintendent of the West Virginia State Police, at any time so
147 requested, a certified list of all provisional licenses issued in the county. The Superintendent of
148 the West Virginia State Police shall maintain a registry of all persons who have been issued
149 provisional concealed weapon licenses.

150 (n) The sheriff shall deny any application or revoke any existing provisional license upon
151 determination that any of the licensing application requirements established in this section have
152 been violated by the licensee.

153 (o) A person who is engaged in the receipt, review or in the issuance or revocation of a
154 concealed weapon provisional license does not incur any civil liability as the result of the lawful
155 performance of his or her duties under this article.

156 (p) Information collected under this section, including applications, supporting documents,
157 permits, renewals, or any other information that would identify an applicant for or holder of a
158 concealed weapon provisional license, is confidential: *Provided*, That this information may be

159 disclosed to a law enforcement agency or officer: (i) To determine the validity of a provisional
160 license; (ii) to assist in a criminal investigation or prosecution; or (iii) for other lawful law-
161 enforcement purposes. A person who violates this subsection is guilty of a misdemeanor and,
162 upon conviction thereof, shall be fined not less than \$50 or more than \$200 for each offense.

163 (q) Except as restricted or prohibited by the provisions of this article or as otherwise
164 prohibited by law, the issuance of a provisional concealed weapon license issued in accordance
165 with the provisions of this section authorizes the holder of the license to carry a concealed pistol
166 or revolver on the lands or waters of this state.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

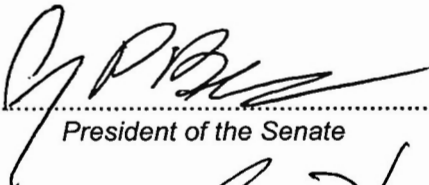

.....
Clerk of the Senate


.....
Clerk of the House of Delegates

FILED
2024 MAR 26 P 2:22
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Originated in the Senate.

In effect 90 days from passage.


.....
President of the Senate


.....
Speaker of the House of Delegates

The within is approved this the 26th
Day of March 2024


.....
Governor

PRESENTED TO THE GOVERNOR

MAR 12 2024

Time 3:48 pm