

# The West Virginia Sheriffs' STAR



## 2007 Legislative WATCH List as of 02/22/07

Bill #	Title	Current Status:
SB 20	Providing arresting agency pay initial cost of incarceration	Sen. Jenkins; Jud / Finance
26	Relating to handgun permit reciprocity	Sen. Caruth; Judiciary
SJR 5	Proposing amendment to Constitution designated Sheriff Terms Amendment – increase to 3 <sup>rd</sup> consecutive term	Passed Sen. Judiciary as com sub on 2/1; Sent to Sen. Finance (call Sen. Helmick)
SCR 5	Requesting Joint Committee on Govn't & Finance study state and local tax structure	Sen. Helmick
66	Modifying home incarceration fees – make mandatory \$2.50 - \$5 contribution to Community Corrections Grant Program	Governor's bill; on 2 <sup>nd</sup> reading 2/23
70	Providing penalties for employing unauthorized workers	Passed Senate 2/6; Hou Judic
76	Establishing underage drinking as unlawful act	Passed Senator 2/21; Hou Jud
82	Line up change – eye witness line-up change (create higher error then current system)	Hunter; On 1 <sup>st</sup> reading 2/23
106	Increasing penalties for hiring undocumented workers	Hunter; Judiciary
108	Requiring defendants pay certain costs of incarceration	Jenkins; Finance
109	Requiring proration of per diem charge for regional jail incarceration	Jenkins; Finance
157	Requiring felons report to Sheriff when visiting county courthouse	Bailey; Judiciary
180	Offering tax free distributions from certain retirement plans to pay certain premiums for public safety officers	Passed Senate 2/6; In House Finance 2/21
205	Violation of DVP to include harassment via email, phone	Passed Senate 1/29; Passed House 2/13
309	Rules for determining regional jail per diem – same as HB 2678	Minard; Judiciary 2/9
361	Work program for inmates; permit transfer to funds to DOC	On 1 <sup>st</sup> Reading floor 2/23
369	Relating to local option elections on table games	Facemyer; Judiciary/Finance
390	Providing criminal penalty for manufacture, possession or distribution of controlled substance in presence of child	Unger; Judiciary
408	Clarifying payment deadline for delinquent real estate taxes	Jenkins; Finance
507	Removing requirement of social security # on concealed weapons application	Prezioso; Judiciary
509	Regulating ATVs – not allowing on paved roads	On 2 <sup>nd</sup> reading floor 2/23
468	Providing penalties for employing unauthorized workers	McKenzie; Judiciary
447	Regulating opioid treatment centers	Caruth; Health & Human Res
526	Allowing Deputies and municipal officers to solicit funds for political campaigns, allow them to run for office in counties that they do not work	Jenkins; Passed Senate Judiciary today, on floor
567	Revising drunk driving provisions related to certain crimes and penalties	Foster; Judiciary / Finance
SR 18	Designating February 13, 2007 as Law Enforcement Appreciation Day	Foster
590	Relating to preserving biological evidence in connection with criminal case	Kessler; Judiciary / Finance
600	Relating to issuing proof of payment of personal property taxes by assessors	Minard; Finance
630	Relating to concealed weapons licenses	Minard; Judiciary
642	Modifying definition of law enforcement officer to include PSC officers	Boley; Judiciary
647	Certifying qualified officers to carry concealed firearms nationwide	Sypolt; Judiciary
658	Stalking	On 2 <sup>nd</sup> reading floor 2/23
659	Authorizing physicians assistants to conduct exams in mental health process	Prezioso; HHR / Judiciary
662	Imposing taxes on certain unauthorized substances – DRUG Tax	Jenkins; Finance
675	Limiting arrest powers for day report officers – ARE WE OKAY WITH THIS?	On 2 <sup>nd</sup> reading floor 2/23
676	DUI BILL	Kessler; Judiciary
714	Authorizing metro gov'n't participants to increase certain taxes	Plymale; Jud / Finance
716	Requiring additional information for concealed gun license background checks	Sypolt; Judiciary
717	Establishing procedure for issuing concealed nonresidents' handgun license	Sypolt; Judiciary
734	Requiring Sheriff post notice on delinquent real estate	Bowman; Jud / Finance

Bill #	Title	Current Status
HB 2051	Including lasers as a method of proving the speed of vehicles	Webster; Passed House 1/17; Senate Judiciary
2052	Providing that term "impersonation" of public official or employee includes act of operating motor vehicle which falsely displays emblem or other marking	Stemple; Passed House 1/17; Senate Judiciary
2079	Clarifying the definition of final average salary for Deputy Sheriff Retirement System	Del. Swartz; Gov. Org / Fina
2080	Authorizing lateral transfers for deputy sheriffs	Del. Stemple; Pensions/Judici
2089	Maintaining a registry of names of those convicted of meth production or distribution	Del. Spencer; Judiciary
2130	Eliminating any reduction in benefit of deputy sheriff who is disabled on job	On 1 <sup>st</sup> reading Spec. Cal 2/23
2131	Changing how accrued retirement benefit of deputy sheriff member is calculated	Swartzmiller; Pension/Financ
2146	Allowing law-enforcement officers from other states authorized to carry weapon in performance of duties carry weapon in WV without license – doesn't Federal Carry law cover this???????	Wysong; Judiciary
2153	Relating to public school campus police officers	Lane; Education/Finance
2164	Relating to requiring lien holders to notify sheriff's office via written instrument and to record release in county clerk's office within sixty days after lien has been satisfied	Argento; Judiciary
2170	Providing that alleged victims of domestic violence or abuse have right to have person of their choosing present when they are interviewed by law enforcement officers or prosecuting attorney	Longstreth, Poling, M, Caputo & Martin; Judiciary
2183	Relating to authorizing reciprocity weapons licensing for nonresidents	Wysong; Judiciary
2194	Authorizing issue of warrants to extract blood analysis of persons charged with DUI – takes care of McClead case! Check out the Com Sub on line.	ON 1 <sup>st</sup> reading spec.cal. 2/23
2199	Reciprocal agreement for carrying concealed weapon	Judiciary
2200	Clarifying penalty provisions regarding battery of police officer	Campbell; Judiciary
2203	Alter criminal penalties for driving on revoked license	Judiciary
2223	Restrict public access to concealed weapons record	Judiciary – on today's agenda
2256	Give reserve deputy sheriffs authority to carry firearms and to arrest, if certified	Judiciary
HJR 6	Constitutional amendment to give sheriff 3 consecutive 4 year terms	Const. Rev/ Jud
2271	Require property owners to disclose previous existence on property of meth lab	Judiciary
2275	Impose misdemeanor penalty for giving false statements to le officer	Judiciary
2284	Transfer of law enforcement officers	Judiciary
2287	Add \$2.50 to home incarceration fee for funds for Community Corrections Fund	Finance
2303	Modifying method of reciprocity between states regarding handgun permits	Barker; Judiciary
2319	Lying to deputy sheriff or municipal officer who is conducting investigation of a felony is a misdemeanor	Barker; Judiciary
2320	Clarifying that Sheriff is appointing officer with respect to deputy Sheriffs who have resigned and thereafter seek appointment by reinstatement	Pino; Pol. Subs. / Judiciary
2323	Effecting technical corrections to deputy sheriff retirement system	Swartzmiller; Pens/Finance
2335	Allowing deputy sheriffs to participate in certain political activities	Swartzmiller; Judiciary
2375	Limiting purchase of handguns to one gun per month	Doyle; Judiciary
2427	Requiring mandatory blood tests from drivers involved in motor vehicle accidents that result in death or bodily injury if suspected of being under influence of drug/alco	Overington; Road & Transp / Judiciary
2473	Creating an affirmative defense for certain civil and criminal actions arising from sale of certain alcoholic drinks and nonintoxicating beer by license private clubs to persons under age of 21	Ennis; Judiciary
2488	Providing felony penalties for certain persons convicted of fleeing law enf. Officer	Miley; Judiciary
2490	Permitting county Sheriffs to deny concealed carry license to applicants who have been convicted of misdemeanor sexual offense	Palumbo; Judiciary
2512	Making offense of failure to wear safety belt a primary offense	Palumbo; Roads/Judiciary
2522	Same as SB 180	Spencer; Pensions/Finance
2544	Increasing penalty for driving under the influence causing death	Passed House 2/21; Sen. Jud
2565	Relating to delivery of controlled substances on or in an educational facility	Barker; Education/Judiciary
2568	Extending racial profiling data collection till 2009	Passed House 2/22
2571	Clarifying deadline for redeeming delinquent land to day prior to Sheriff's sale	Passed House 2/5; Senate Judiciary
2579	Making offense of failure to wear safety belts primary offense	Fleischauer; Roads/Judiciary
2678	Regional Jail criteria & procedures for determination of per diem	Brown; Finance/Judiciary
2718	Table Games	Swartzmiller; com sub passed Judiciary 2/8 to Finance
2756	Reimbursement for costs of first five days incarceration	Walters; Judiciary/Finance
2759	Increasing deputy sheriffs' pension benefit by one-half of one percent, while increasing the employer contribution by one percent	Lane; Pensions/Finance

Bill #	Title	Current Status
2784	Imposing surcharge on county commissions for delinquent payment of fees due deputy sheriffs retirement fund	Spencer; Pensions/Finance
2785	Providing for temporary detention of criminal suspects by law enforcement where probable cause appears to exist	Craig; Judiciary
2794	Requiring a preliminary breath analysis for purpose of determining blood alcohol content of surviving driver	Fleishchauser; Roads/Judiciary
2802	Providing arresting agency pay cost of initial 24hrs of incarceration	Craig; Judiciary/Finance
2837	Enabling law enforcement agencies use basic investigative tools to thwart terrorist plot	Cann; Homeland Security/Judiciary
2863	Clarifying retirement benefits for deputy sheriff retirement system	Swartzmiller; Finance
2889	Providing for arresting agency pay cost of initial 24hrs of incarceration	Sobonya; Judiciary/Finance
2893	Relating to criminal penalties for employers hiring or using unauthorized workers	Klempa; Judiciary
2898	Banning ATVs from paved roads & requiring operators & passengers to wear helmets	Palumbo; Gov. Org./Judiciar
2906	Providing for mandatory sentence for any person who shoots police officer on duty	Paxton; Judiciary/Finance
2914	Imposing regulations on use & operation of ATVs	Tucker; Gov. Org.
2915	Relating to identification of ATVs	Argento; Gov. Org.
2925	Changing way cost of incarcerating inmates in regional jails is collected	Sobonya; Judiciary/Finance
2928	Increasing penalty for DUI causing death	Sobonya; Judiciary
2929	Creating felony of unlawful possession of cocaine	Sobonya; Judiciary
2938	Including motor carrier inspectors & enforcement officers in definition of law enforcement officer – requires certification after July 1, 2007, grandfathers those employed prior to this date	Passed Judiciary today; will now go to House floor
2963	Determine defendant's ability to pay for first 30 days of incarceration	Craig; Judiciary
2966	Creating crime of murder of child by parent who exposes child to manufacturing of controlled substance	Reynolds; Judiciary
3023	Authorizing home incarceration supervisors to arrest persons who obstruct them in performance of their duties	Stephens; Judiciary
3032	Requiring an initial hearing before magistrate before person subject to arrest may be detained in regional jail	Lane; Judiciary
3034	Prohibiting tax commissioner from new business registration certificate to any new business that is delinquent in payment of personal property taxes	Shaver; Gov. Org. / Finance
3063	The WV Counter-Terrorism Act of 2007	Longstreth; Judiciary
3074	Relating to carrying of concealed weapons	Varner; Judiciary
3124	Prohibiting law enforcement or other official from interfering in service of warrant in child abuse investigation	Sobonya; Judiciary
3139	Providing all persons convicted of felony subject to DNA testing	Ellem; Judiciary
3141	Same as SB 600	Amores; Finance
3152	Relating to amount, collection of and refunding jail processing fees	Perry; Judiciary / Finance
3157	Relating to legal status of WV workers	Schoen; Judiciary
3171	Criminalizing the giving of false information or misleading information to county & municipal officers	Stalnaker; Judiciary
3192	Relating to criminal penalties for DUI or controlled substances – DUI bill	Eldridge; Jud / Finance

- To view legislative bills on the internet, go to: [www.legis.state.wv.us](http://www.legis.state.wv.us) or for a copy, call me.
- Please call or email me with your concerns. Please call your local legislators with your support or concerns of these bills.
- Pay special attention to the bills that have passed either House or Senate or are on 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> reading. These are the bills that are moving and that we need to act on either for or against.
- Bills of particular interest or concern to us include: Senate Bills (SB) - 66, 70, 76, 82, 662, 675, 676, and SJR 5. House Bills (HB) - 2194, 2568, 3192, and HJR 6.