

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2128**

4
5 (By Delegates Howell, Hamrick, Householder, Statler, Moffatt,
6 Walters, Arvon, Blair, Kessinger, Border and Frich)

7
8 [January 30, 2015; originating in the Committee on the Judiciary.]

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11 A BILL to amend and reenact §61-6-19 of the Code of West Virginia, 1931, as amended, relating
12 to permitting those individuals who have been issued concealed weapons permits to keep
13 firearms in their motor vehicles on the state Capitol Complex grounds if the vehicles are
14 locked and the weapons are out of normal view.

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

16 That §61-6-19 of the Code of West Virginia, 1931, as amended, be amended and reenacted
17 to read as follows:

18 **ARTICLE 6. CRIMES AGAINST THE PEACE.**

19 **§61-6-19. Willful disruption of governmental processes; offenses occurring at state Capitol**
20 **Complex; penalties.**

21 (a) If any person willfully interrupts or molests the orderly and peaceful process of any
22 department, division, agency or branch of state government or of its political subdivisions, he or she
23 is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$100, or
24 ~~imprisoned in the county or regional~~ confined in jail not more than six months, or both fined and

1 ~~imprisoned~~ confined: *Provided*, That any assembly in a peaceable, lawful and orderly manner for
2 a redress of grievances shall not be a violation of this section.

3 (b) It is unlawful for any person to bring upon the state Capitol Complex any weapon as
4 defined by ~~the provisions of~~ section two, article seven of this chapter. However, a person who has
5 been issued a concealed weapons permit may keep a firearm in his or her motor vehicle upon the
6 state Capitol Complex if the vehicle is locked and the weapon is out of normal view. It is unlawful
7 for any person to willfully deface any trees, wall, floor, stairs, ceiling, column, statue, monument,
8 structure, surface, artwork or adornment in the state Capitol Complex. It is unlawful for any person
9 or persons to willfully block or otherwise willfully obstruct any public access, stair or elevator in the
10 state Capitol Complex after being asked by a law-enforcement officer acting in his or her official
11 capacity to desist: *Provided*, That in order to preserve the constitutional right of the people to
12 assemble, it is not willful blocking or willful obstruction for persons gathered in a group or crowd,
13 if the persons move to the side or part to allow other persons to pass by the group or crowd to gain
14 ingress or egress: *Provided, however*, That this subsection ~~shall~~ does not apply to a law-enforcement
15 officer acting in his or her official capacity.

16 Any person who violates ~~any provision of~~ this subsection is guilty of a misdemeanor and,
17 upon conviction thereof, shall be fined not less than \$100 or confined in ~~the county or regional~~ jail
18 not more than six months, or both.