

H. B. 2224

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(By Delegates Howell, Manchin, Rowan, Storch, Canterbury,
Stansbury, Zatezalo, Butler, D. Evans, Ambler and Cooper)

[Introduced January 22, 2015; referred to the
Committee on Veterans’ Affairs and Homeland Security then the Judiciary.]

10 A BILL to amend and reenact §15-1F-7 of the Code of West Virginia, 1931, as amended, relating
11 to unlawful military organizations; and providing that historical reenactors are not violating
12 the provision prohibiting unlawful military organizations.

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

14 That §15-1F-7 of the Code of West Virginia, 1931, as amended, be amended and reenacted
15 to read as follows:

16 **ARTICLE 1F. PRIVILEGES AND PROHIBITIONS.**

17 **§15-1F-7. Unlawful military organizations.**

18 (a) It ~~shall be~~ is unlawful for any body of ~~men whatever~~ individuals other than the regularly
19 organized National Guard or the troops of the United States, to associate themselves together as a
20 military company or organization in this state. ~~Provided, That~~

21 (b) Notwithstanding subsection (a) of this section, the Governor may grant permission to
22 public or private schools of the state to organize themselves into companies of cadets, and may
23 furnish ~~such~~ the cadets, under proper restrictions, ~~such~~ obsolete ordnance stores and equipment

1 owned by the state ~~as~~ that are not in use by the National Guard. ~~Whosoever offends against the~~
2 ~~provisions of~~

3 (c) It is not a violation of this section for a group of individuals to associate as a group of
4 historians reenacting a military company or organization or for an individual, or group of individuals,
5 reenacting a military company or organization to drill or parade with arms.

6 (d) A person who violates subsection (a) of this section, or belongs to or parades with any
7 ~~such unauthorized~~ a body of ~~men~~ individuals with arms ~~shall be punished with a fine of not~~
8 ~~exceeding~~ violating subsection (a) of this section, is guilty of a misdemeanor and, upon conviction,
9 shall be fined not more than \$100 or imprisoned for a term not exceeding confined in jail for not
10 more than six months.

NOTE: The purpose of this bill is to provide that historical reenactors are not violating the prohibition against unlawful military organizations.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.