

E N G R O S S E D

H. B. 2224

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

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 1F. PRIVILEGES AND PROHIBITIONS.

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

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

6 (b) Notwithstanding subsection (a) of this section, the
7 Governor may grant permission to public or private schools of
8 the state to organize themselves into companies of cadets, and
9 may furnish ~~such~~ the cadets, under proper restrictions, ~~such~~
10 obsolete ordnance stores and equipment owned by the state as
11 that are not in use by the National Guard. ~~Whosoever offends~~
12 ~~against the provisions of~~

13 (c) It is not a violation of this section for a group of
14 individuals to associate as a military company or organization
15 for historical, artistic or fictional performances; or, for an
16 individual or group of individuals to drill, perform or parade at
17 public ceremonies, including funerals.

18 (d) A person who violates subsection (a) of this section, or
19 belongs to or parades with ~~any such unauthorized~~ a body of ~~men~~
20 individuals with arms ~~shall be punished with a fine of not~~
21 ~~exceeding~~ violating subsection (a) of this section, is guilty of a
22 misdemeanor and, upon conviction, shall be fined not more than
23 \$100 or imprisoned for a term not exceeding confined in jail for
24 not 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.

