

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

Senate Bill 53

BY SENATOR PALUMBO

[Introduced January 10, 2018; Referred
to the Committee on the Judiciary]

1 A BILL to amend and reenact §61-7-14 of the Code of West Virginia, 1931, as amended, relating
 2 to correcting incorrect code reference resulting from recent amendment to said code
 3 requiring certain court personnel to complete certain handgun safety and training
 4 requirements before carrying a concealed handgun.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. DANGEROUS WEAPONS.

§61-7-14. Right of certain persons to limit possession of firearms on premises.

1 Notwithstanding the provisions of this article, any owner, lessee or other person charged
 2 with the care, custody and control of real property may prohibit the carrying openly or concealed
 3 of any firearm or deadly weapon on property under his or her domain: *Provided*, That for purposes
 4 of this section "person" means an individual or any entity which may acquire title to real property.

5 Any person carrying or possessing a firearm or other deadly weapon on the property of
 6 another who refuses to temporarily relinquish possession of ~~such the~~ the firearm or other deadly
 7 weapon, upon being requested to do so, or to leave ~~such the~~ the premises, while in possession of
 8 ~~such the~~ the firearm or other deadly weapon, ~~shall be is~~ is guilty of a misdemeanor and, upon conviction
 9 thereof, shall be fined not more than \$1,000 or confined in ~~the county~~ jail not more than six
 10 months, or both: *Provided*, That the provisions of this section ~~shall do~~ do not apply to ~~those persons~~
 11 a person set forth in subsections (3) through (6) of section six of this code §61-7-6 (a)(5) through
 12 §61-7-6 (a)(7) of this code while such persons are the person is acting in an official capacity; and
 13 to a person set forth in §61-7-6(b)(1) through §61-7-6(b)(8) of this code, while the person is acting
 14 in his or her official capacity: *Provided, however*, That under no circumstances may any person
 15 possess or carry or cause the possession or carrying of any firearm or other deadly weapon on
 16 the premises of any primary or secondary educational facility in this state unless such the person
 17 is a law-enforcement officer or he or she has the express written permission of the county school
 18 superintendent.

NOTE: The purpose of this bill is to correct an internal code reference that needs updated as a result of a bill passed in the 2016 regular session.

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