

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2712

BY DELEGATES WILSON, PAYNTER, MAYNARD, CRISS,

KELLY, DEAN AND FOLK

[Introduced February 27, 2017; Referred
to the Committee on the Judiciary.]

1 A BILL amend and reenact §61-6-19 of the Code of West Virginia, 1931, as amended, relating to
 2 permitting persons who have been issued state licenses to carry concealed deadly
 3 weapons to carry those weapons on the grounds of the State Capitol Complex, except for
 4 the third and fourth floors of the east wing of Building One.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 6. CRIMES AGAINST THE PEACE.

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

1 (a) If any person willfully interrupts or molests the orderly and peaceful process of any
 2 department, division, agency or branch of state government or of its political subdivisions, he or
 3 she is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$100,
 4 or confined in jail not more than six months, or both fined and confined: *Provided*, That any
 5 assembly in a peaceable, lawful and orderly manner for a redress of grievances ~~shall not be~~ are
 6 not a violation of this section.

7 (b) It is unlawful for any person to bring upon the State Capitol Complex any weapon as
 8 defined in section two, article seven of this chapter: *Provided*, That ~~a person who holds a valid,~~
 9 ~~current concealed weapons permit issued by a sheriff of this state or the appropriate authority of~~
 10 ~~another jurisdiction may keep a firearm in his or her motor vehicle upon the state Capitol Complex~~
 11 ~~if the vehicle is locked and the weapon is out of normal view~~ this prohibition does not apply to
 12 individuals who have been issued state licenses to carry concealed deadly weapons pursuant to
 13 section four, article seven of this chapter, but this exception does not apply to the third and fourth
 14 floors of the east wing of Building One of the State Capitol Complex. It is unlawful for any person
 15 to willfully deface any trees, wall, floor, stairs, ceiling, column, statue, monument, structure,
 16 surface, artwork or adornment in the State Capitol Complex. It is unlawful for any person or

17 persons to willfully block or otherwise willfully obstruct any public access, stair or elevator in the
18 State Capitol Complex after being asked by a law-enforcement officer acting in his or her official
19 capacity to desist: *Provided*, That, in order to preserve the Constitutional right of the people to
20 assemble, it is not willful blocking or willful obstruction for persons gathered in a group or crowd
21 if the persons move to the side or part to allow other persons to pass by the group or crowd to
22 gain ingress or egress: *Provided, however*, That this subsection does not apply to a law-
23 enforcement officer acting in his or her official capacity.

24 Any person who violates this subsection is guilty of a misdemeanor and, upon conviction
25 thereof, shall be fined not less than \$100 or confined in jail not more than six months, or both
26 fined and confined.

NOTE: The purpose of this bill is to permit persons who have been issued state licenses to carry concealed deadly weapons to carry those weapons on the grounds of the State Capitol Complex, except for the third and fourth floors of the east wing of Building One.

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