

# **WEST VIRGINIA LEGISLATURE**

**2019 REGULAR SESSION**

**Introduced**

## **Senate Bill 18**

BY SENATORS TRUMP, BOSO, TAKUBO, AND CLINE

[Introduced January 9, 2019; Referred  
to the Committee on the Judiciary]

1 A BILL to amend and reenact §61-6-19 of the Code of West Virginia, 1931, as amended, relating  
 2 to crimes against the peace; offenses occurring at State Capitol Complex property; and  
 3 when a person lawfully entitled to possess a firearm may keep a firearm in a motor vehicle  
 4 upon a State Capitol Complex property.

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

**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~~ may not be  
 6 a violation of this section.

7 (b) It is unlawful for any person to bring ~~upon the~~ into any State Capitol Complex building  
 8 any weapon as defined in §61-7-2 of this code: *Provided*, That a person ~~who holds a valid, current~~  
 9 ~~concealed weapons permit issued by a sheriff of this state or the appropriate authority of another~~  
 10 ~~jurisdiction~~ who may lawfully possess a firearm may keep a firearm in his or her motor vehicle  
 11 upon the State Capitol Complex if the vehicle is locked and the weapon is out of normal view. It  
 12 is unlawful for any person to willfully deface any trees, wall, floor, stairs, ceiling, column, statue,  
 13 monument, structure, surface, artwork or adornment in the State Capitol Complex. It is unlawful  
 14 for any person or persons to willfully block or otherwise willfully obstruct any public access, stair  
 15 or elevator in the State Capitol Complex after being asked by a law-enforcement officer acting in  
 16 his or her official capacity to desist: *Provided*, That, in order to preserve the constitutional right of  
 17 the people to assemble, it is not willful blocking or willful obstruction for persons gathered in a  
 18 group or crowd if the persons move to the side or part to allow other persons to pass by the group

19 or crowd to gain ingress or egress: *Provided, however,* That this subsection does not apply to a  
20 law-enforcement officer acting in his or her official capacity.

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

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NOTE: The purpose of this bill is to provide that any person lawfully entitled to possess a firearm may store a firearm in a motor vehicle on West Virginia State Capitol Complex property and would allow for the carrying of a firearm outdoors on Capitol Complex property.

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