

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 18

SENATORS TRUMP, BOSO, TAKUBO, AND CLINE, *original*

sponsors

[Passed February 13, 2019; in effect from passage]

1 AN ACT to amend and reenact §61-6-19 of the Code of West Virginia, 1931, as amended, relating
2 generally to crimes against the peace; relating to offenses occurring at State Capitol
3 Complex property; and removing the requirement that a person lawfully entitled to possess
4 a firearm must have a concealed weapons permit to have a firearm secured and out of
5 view in his or her vehicle on the State Capitol Complex.

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 may not be a
6 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 §61-7-2 of this code: *Provided*, That a person who may lawfully possess a firearm may
9 keep a firearm in his or her motor vehicle upon the State Capitol Complex if the vehicle is locked
10 and the weapon is out of normal view. It is unlawful for any person to willfully deface any trees,
11 wall, floor, stairs, ceiling, column, statue, monument, structure, surface, artwork, or adornment in
12 the State Capitol Complex. It is unlawful for any person or persons to willfully block or otherwise
13 willfully obstruct any public access, stair, or elevator in the State Capitol Complex after being
14 asked by a law-enforcement officer acting in his or her official capacity to desist: *Provided*,
15 *however*, That, in order to preserve the constitutional right of the people to assemble, it is not
16 willful blocking or willful obstruction for persons gathered in a group or crowd if the persons move
17 to the side or part to allow other persons to pass by the group or crowd to gain ingress or egress:

18 *Provided further*, That this subsection does not apply to a law-enforcement officer acting in his or
19 her official capacity.

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

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2019.

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Governor