

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 2031**

BY DELEGATES WILSON, J. KELLY AND PORTERFIELD

[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 permitting persons who have been issued state licenses to carry concealed deadly  
 3 weapons on the grounds of the State Capitol Complex, except for the third and fourth  
 4 floors of the east wing of Building One.

*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 not be~~ is  
 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 §61-7-2 of this code: *Provided*, That ~~a person who holds a valid, current concealed~~  
 9 ~~weapons permit issued by a sheriff of this state or the appropriate authority of another jurisdiction~~  
 10 ~~may keep a firearm in his or her motor vehicle upon the state Capitol Complex if the vehicle is~~  
 11 ~~locked and the weapon is out of normal view~~ this prohibition does not apply to individuals who  
 12 have been issued state licenses to carry concealed deadly weapons pursuant to §61-7-4 of this  
 13 code, but this exception does not apply to the third and fourth floors of the east wing of Building  
 14 One of the State Capitol Complex. It is unlawful for any person to willfully deface any trees, wall,  
 15 floor, stairs, ceiling, column, statue, monument, structure, surface, artwork or adornment in the  
 16 State Capitol Complex. It is unlawful for any person or persons to willfully block or otherwise  
 17 willfully obstruct any public access, stair or elevator in the State Capitol Complex after being asked  
 18 by a law-enforcement officer acting in his or her official capacity to desist: *Provided*, That, in order

19 to preserve the Constitutional right of the people to assemble, it is not willful blocking or willful  
20 obstruction for persons gathered in a group or crowd if the persons move to the side or part to  
21 allow other persons to pass by the group or crowd to gain ingress or egress: *Provided, however,*  
22 That this subsection does not apply to a law-enforcement officer acting in his or her official  
23 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 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.