

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

### **Senate Bill 650**

BY SENATORS STOVER, AZINGER, GRADY, KARNES,  
MARTIN, MAYNARD, PHILLIPS, ROBERTS, RUCKER, SMITH,  
SWOPE, SYPOLT, TARR, WOODRUM, AND HAMILTON

[Introduced March 17, 2021; 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 2. CRIMES AGAINST THE PERSON**

### **§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 is not a violation  
 6 of this section.

7 (b)(1) It is unlawful for any person to bring upon the State Capitol Complex any deadly  
 8 weapon as defined in §61-7-2 of this code: *Provided*, That ~~a person who may lawfully possess a~~  
 9 ~~firearm may keep a firearm in his or her motor vehicle upon the State Capitol Complex if the~~  
 10 ~~vehicle is locked and the weapon is out of normal view: this prohibition does not apply to~~  
 11 ~~individuals who have been issued state licenses to carry concealed deadly weapons pursuant to~~  
 12 ~~§61-7-4 of this code, to any member of the legislature, to any member of the board of public~~  
 13 ~~works, or to justices serving on the State Supreme Court of Appeals. The Clerks of the House of~~  
 14 ~~Delegates and State Senate and each member of the board of public works may in their sole~~  
 15 ~~discretion extend this exception to any, or all, of the members of their respective staff. This~~  
 16 ~~exception does not apply to the third and fourth floors of the east wing of Building One of the State~~  
 17 ~~Capitol Complex: *Provided, however*, That a person may not carry upon the State Capitol~~  
 18 ~~Complex, a cannister of pepper spray as defined in §61-7-2 of this code that exceeds one ounce.~~

19 It is unlawful for any person to willfully deface any trees, wall, floor, stairs, ceiling, column, statue,  
20 monument, structure, surface, artwork, or adornment in the State Capitol Complex. It is unlawful  
21 for any person or persons to willfully block or otherwise willfully obstruct any public access, stair,  
22 or elevator in the State Capitol Complex after being asked by a law-enforcement officer acting in  
23 his or her official capacity to desist: *Provided further*, That in order to preserve the constitutional  
24 right of the people to assemble, it is not willful blocking or willful obstruction for persons gathered  
25 in a group or crowd if the persons move to the side or part to allow other persons to pass by the  
26 group or crowd to gain ingress or egress: *And provided further*, That this subsection does not  
27 apply to a law-enforcement officer acting in his or her official capacity.

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

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

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