

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2294

By Delegate Martin

[Introduced January 11, 2023; 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 to
 2 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 floors
 4 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, or
 4 confined in jail not more than six months, or both fined and confined: *Provided*, That any assembly
 5 in a peaceable, lawful, and orderly manner for a redress of grievances is not a violation of this
 6 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 individuals
 11 who have been issued state licenses to carry concealed deadly weapons pursuant to §61-7-4 of
 12 this code, but this exception does not apply to the third and fourth floors of the east wing of Building
 13 One of the State Capitol Complex. *Provided, however*, That a person may not carry upon the State
 14 Capitol Complex, a cannister of pepper spray as defined in §61-7-2 of this code that exceeds one
 15 ounce. It is unlawful for any person to willfully deface any trees, wall, floor, stairs, ceiling, column,
 16 statue, monument, structure, surface, artwork, or adornment in the State Capitol Complex. It is
 17 unlawful for any person or persons to willfully block or otherwise willfully obstruct any public
 18 access, stair, or elevator in the State Capitol Complex after being asked by a law-enforcement

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

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