

H. B. 2457

(By Delegate Howell)

[Introduced January 13, 2011; referred to the
Committee on Roads and Transportation then the
Judiciary.]

A BILL to amend and reenact §61-6-19 of the Code of West Virginia,
1931, as amended, relating to permitting those individuals who
have been issued concealed weapons permits to keep loaded
firearms in their motor vehicles on the State Capitol Complex
grounds if the vehicles are locked and the weapons are out of
normal view.

Be it enacted by the Legislature of West Virginia:

That §61-6-19 of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

ARTICLE 6. CRIMES AGAINST THE PEACE.

**§61-6-19. Willful disruption of governmental processes; offenses
occurring at State Capitol Complex; penalties.**

(a) If any person willfully interrupts or molests the orderly
and peaceful process of any department, division, agency or branch
of state government or of its political subdivisions, he or she is
guilty of a misdemeanor and, upon conviction thereof, shall be
fined not more than \$100 or ~~imprisoned in the county or regional~~

1 confined in jail not more than six months, or both fined and
2 ~~imprisoned~~ confined: *Provided*, That any assembly in a peaceable,
3 lawful and orderly manner for a redress of grievances ~~shall~~ is not
4 ~~be~~ a violation of this section.

5 (b) It is unlawful for any person to bring upon the State
6 Capitol Complex any weapon as defined by the provisions of section
7 two, article seven of this chapter. However, a person who has been
8 issued a concealed weapons permit may keep a loaded firearm in his
9 or her motor vehicle upon the State Capitol Complex if the vehicle
10 is locked and the weapon is out of normal view. It is unlawful for
11 any person to willfully deface any trees, wall, floor, stairs,
12 ceiling, column, statue, monument, structure, surface, artwork or
13 adornment in the State Capitol Complex. It is unlawful for any
14 person or persons to willfully block or otherwise willfully
15 obstruct any public access, stair or elevator in the State Capitol
16 Complex after being asked by a law-enforcement officer acting in
17 his or her official capacity to desist: *Provided*, That in order to
18 preserve the constitutional right of the people to assemble, it is
19 not willful blocking or willful obstruction for persons gathered in
20 a group or crowd, if the persons move to the side or part to allow
21 other persons to pass by the group or crowd to gain ingress or
22 egress: *Provided, however*, That this subsection ~~shall~~ does not
23 apply to a law-enforcement officer acting in his or her official
24 capacity.

25 Any person who violates any provision of this subsection is
26 guilty of a misdemeanor and, upon conviction thereof, shall be

1 fined not less than \$100 or confined in ~~the county or regional~~ jail
2 not more than six months, or both.

NOTE: The purpose of this bill is to permit those individuals who have been issued a concealed weapons permit to keep loaded firearms in their motor vehicles on the State Capitol Complex grounds provided the vehicles are locked and the weapons are out of normal view.

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