

1 **H. B. 2981**

2  
3 (By Delegates Howell, Paxton, Ashley, Iaquina, Eldridge,  
4 Longstreth, Storch, Azinger, Rowan, Manchin and Miley)

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6 [Introduced March 19, 2013; referred to the  
7 Committee on Veterans' Affairs and Homeland Security then  
8 the Judiciary.]  
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10 A BILL to amend and reenact §15-1F-7 of the Code of West Virginia,  
11 1931, as amended, relating to unlawful military organizations;  
12 and providing that historical reenactors are not violating  
13 the provision prohibiting unlawful military organizations.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §15-1F-7 of the Code of West Virginia, 1931, as amended,  
16 be amended and reenacted to read as follows:

17 **ARTICLE 1F. PRIVILEGES AND PROHIBITIONS.**

18 **§15-1F-7. Unlawful military organizations.**

19 (a) It ~~shall be~~ is unlawful for any body of ~~men whatever~~  
20 individuals other than the regularly organized National Guard or  
21 the troops of the United States, to associate themselves together  
22 as a military company or organization in this state. ~~Provided,~~  
23 ~~That~~

24 (b) Notwithstanding subsection (a) of this section, the  
25 Governor may grant permission to public or private schools of the

1 state to organize themselves into companies of cadets, and may  
2 furnish ~~such~~ the cadets, under proper restrictions, ~~such~~ obsolete  
3 ordnance stores and equipment owned by the state ~~as~~ that are not in  
4 use by the National Guard. ~~Whosoever offends against the provisions~~  
5 ~~of~~

6 (c) It is not a violation of this section for a group of  
7 individuals to associate as a group of historians reenacting a  
8 military company or organization or for an individual or group of  
9 individuals reenacting a military company or organization to drill  
10 or parade with arms.

11 (d) A person who violates subsection (a) of this section, or  
12 belongs to or parades with ~~any such unauthorized~~ a body of ~~men~~  
13 individuals with arms ~~shall be punished with a fine of not~~  
14 ~~exceeding~~ violating subsection of this section, is guilty of a  
15 misdemeanor and, upon conviction, shall be fined not more than \$100  
16 ~~or imprisoned for a term not exceeding~~ confined in jail for not  
17 more than six months.

NOTE: The purpose of this bill is to provide that historical reenactors are not violating the provision unlawful military organizations unlawful military organizations.

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