

Senate Bill No. 80

(By Senators Sypolt, D. Hall, Williams and M. Hall)

[Introduced January 8, 2014; referred to the Committee on
Government Organization; and then to the Committee on the
Judiciary.]

11 A BILL to amend and reenact §61-6-19 of the Code of West Virginia,
12 1931, as amended, relating to permitting persons who have been
13 issued state licenses to carry concealed deadly weapons to
14 carry those weapons on the grounds of the State Capitol
15 Complex, except for the third and fourth floors of the east
16 wing of Building One.

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

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

20 **ARTICLE 6. CRIMES AGAINST THE PEACE.**

21 **§61-6-19. Willful disruption of governmental processes; offenses**
22 **occurring at State Capitol Complex; penalties.**

23 (a) If any person willfully interrupts or molests the orderly

1 and peaceful process of any department, division, agency or branch
2 of state government or of its political subdivisions, he or she is
3 guilty of a misdemeanor and, upon conviction, ~~thereof~~ shall be
4 fined not more than \$100, or ~~imprisoned in the county or regional~~
5 confined in jail not more than six months, or both fined and
6 ~~imprisoned~~ confined: *Provided*, That any assembly in a peaceable,
7 lawful and orderly manner for a redress of grievances shall not be
8 a violation of this section.

9 (b) It is unlawful for any person to bring upon the State
10 Capitol Complex any weapon as defined by ~~the provisions of~~ section
11 two, article seven of this chapter. However, this prohibition does
12 not apply to individuals who have been issued state licenses to
13 carry concealed deadly weapons pursuant to section four, article
14 seven of this chapter, but this exception does not apply to the
15 third and fourth floors of the east wing of Building One of the
16 State Capitol Complex. It is unlawful for any person to willfully
17 deface any trees, wall, floor, stairs, ceiling, column, statue,
18 monument, structure, surface, artwork or adornment in the State
19 Capitol Complex. It is unlawful for any person or persons to
20 willfully block or otherwise willfully obstruct any public access,
21 stair or elevator in the State Capitol Complex after being asked by
22 a law-enforcement officer acting in his or her official capacity to
23 desist: *Provided*, That in order to preserve the Constitutional

1 right of the people to assemble, it is not willful blocking or
2 willful obstruction for persons gathered in a group or crowd, if
3 the persons move to the side or part to allow other persons to pass
4 by the group or crowd to gain ingress or egress: *Provided,*
5 *however,* That this subsection ~~shall~~ does not apply to a
6 law-enforcement officer acting in his or her official capacity.

7 Any person who violates any provision of this subsection is
8 guilty of a misdemeanor and, upon conviction, ~~thereof~~ shall be
9 fined not less than \$100 or confined in ~~the county or~~ a regional
10 jail not more than six months, or both fined and confined.

NOTE: The purpose of this bill is permit persons who have been issued state licenses to carry concealed deadly weapons to carry those 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 the present law, and underscoring indicates new language that would be added.