

Senate Bill No. 36

(By Senators Palumbo, Laird and Facemire)

[Introduced January 14, 2015; referred to the Committee on the Judiciary.]

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9 A BILL to amend and reenact §61-7-14 of the Code of West Virginia, 1931, as amended, relating
10 to correcting incorrect code reference resulting from recent amendment to said code requiring
11 certain court personnel to complete certain handgun safety and training requirements before
12 carrying a concealed handgun.

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

14 That §61-7-14 of the Code of West Virginia, 1931, as amended, be amended and reenacted
15 to read as follows:

16 **ARTICLE 7. DANGEROUS WEAPONS.**

17 **§61-7-14. Right of certain persons to limit possession of firearms on premises.**

18 Notwithstanding the provisions of this article, any owner, lessee or other person charged with
19 the care, custody and control of real property may prohibit the carrying openly or concealed of any
20 firearm or deadly weapon on property under his or her domain: *Provided*, That for purposes of this
21 section "person" means an individual or any entity which may acquire title to real property.

22 Any person carrying or possessing a firearm or other deadly weapon on the property of

1 another who refuses to temporarily relinquish possession of such firearm or other deadly weapon,
2 upon being requested to do so, or to leave ~~such~~ the premises, while in possession of ~~such~~ the firearm
3 or other deadly weapon, ~~shall be~~ is guilty of a misdemeanor and, upon conviction thereof, shall be
4 fined not more than \$1,000 or confined in ~~the county~~ jail not more than six months, or both:
5 *Provided*, That the provisions of this section ~~shall~~ do not apply to ~~those persons~~ a person set forth
6 in ~~subsections (3) through (6) of section six of this code~~ subdivisions (3) through (5) of subsection
7 (a) and subdivisions (1) through (8) of subsection (b) of section six of this article while ~~such persons~~
8 ~~are~~ the person is acting in ~~an~~ his or her official capacity: *Provided, however*, That under no
9 circumstances may any person possess or carry or cause the possession or carrying of any firearm
10 or other deadly weapon on the premises of any primary or secondary educational facility in this state
11 unless ~~such~~ the person is a law-enforcement officer or he or she has the express written permission
12 of the county school superintendent.

NOTE: The purpose of this bill is to correct an internal code reference that needs updated following a bill that passed the 2013 regular session.

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