

COMMITTEE SUBSTITUTE

FOR

H. B. 2128

(BY DELEGATE(S) HOWELL, HAMRICK,
HOUSEHOLDER, STATLER, MOFFATT, WALTERS, ARVON, BLAIR,
KESSINGER, BORDER AND FRICH)

[January 30, 2015; originating in the Committee on 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 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.

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

10 (b) It is unlawful for any person to bring upon the state
11 Capitol Complex any weapon as defined by ~~the provisions of~~
12 section two, article seven of this chapter. However, a person who
13 has been issued a concealed weapons permit may keep a firearm
14 in his or her motor vehicle upon the state Capitol Complex if the
15 vehicle is locked and the weapon is out of normal view. It is
16 unlawful for any person to willfully deface any trees, wall, floor,
17 stairs, ceiling, column, statue, monument, structure, surface,

18 artwork or adornment in the state Capitol Complex. It is
19 unlawful for any person or persons to willfully block or
20 otherwise willfully obstruct any public access, stair or elevator
21 in the state Capitol Complex after being asked by a
22 law-enforcement officer acting in his or her official capacity to
23 desist: *Provided*, That in order to preserve the constitutional
24 right of the people to assemble, it is not willful blocking or
25 willful obstruction for persons gathered in a group or crowd, if
26 the persons move to the side or part to allow other persons to
27 pass by the group or crowd to gain ingress or egress: *Provided*,
28 *however*, That this subsection ~~shall~~ does not apply to a
29 law-enforcement officer acting in his or her official capacity.

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

