

# H. B. 2224

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(BY DELEGATE(S) HOWELL, MANCHIN,  
ROWAN, STORCH, CANTERBURY, STANSBURY, ZATEZALO,  
BUTLER, D. EVANS, AMBLER AND COOPER)

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[Introduced January 22, 2015; referred to the  
Committee on Veterans' Affairs and Homeland Security;  
and then to the Committee on the Judiciary.]

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A BILL to amend and reenact §15-1F-7 of the Code of West Virginia, 1931, as amended, relating to unlawful military organizations; and providing that historical reenactors are not violating the provision prohibiting unlawful military organizations.

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

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

ARTICLE 1F. PRIVILEGES AND PROHIBITIONS.

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

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

6        (b) Notwithstanding subsection (a) of this section, the  
7        Governor may grant permission to public or private schools of  
8        the state to organize themselves into companies of cadets, and  
9        may furnish ~~such~~ the cadets, under proper restrictions, ~~such~~  
10       obsolete ordnance stores and equipment owned by the state as  
11       that are not in use by the National Guard. ~~Whosoever offends~~  
12       ~~against the provisions of~~

13       (c) It is not a violation of this section for a group of  
14       individuals to associate as a group of historians reenacting a  
15       military company or organization or for an individual, or group  
16       of individuals, reenacting a military company or organization to  
17       drill or parade with arms.

18        (d) A person who violates subsection (a) of this section, or  
19 belongs to or parades with ~~any such unauthorized~~ a body of ~~men~~  
20 individuals with arms ~~shall be punished with a fine of not~~  
21 ~~exceeding~~ violating subsection (a) of this section, is guilty of a  
22 misdemeanor and, upon conviction, shall be fined not more than  
23 \$100 or imprisoned for a term not exceeding confined in jail for  
24 not more than six months.

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

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

