

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **Senate Bill 30**

BY SENATOR PALUMBO

[Introduced January 13, 2016;

Referred to the Committee on the Judiciary.]

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

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

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

**ARTICLE 7. DANGEROUS WEAPONS.**

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

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

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

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

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