

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Committee Substitute

for

Senate Bill 53

BY SENATOR PALUMBO

[Originating in the Committee on the Judiciary;

reported on January 17, 2018]

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 exempting certain persons from prohibitions against carrying concealed handguns or
4 deadly weapons on the property of another.

Be it enacted by the Legislature of West Virginia:

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 open or concealed carrying
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 the firearm or other deadly weapon,
7 upon being requested to do so, or to leave the premises, while in possession of the firearm or
8 other deadly weapon, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not
9 more than \$1,000 or confined in jail not more than six months, or both: *Provided*, That the
10 provisions of this section do not apply to a person as set forth in ~~subdivisions (3) through (7),~~
11 ~~inclusive, subsection (a), section six of this article~~ §61-7-6(a)(5) through §61-7-6(a)(7) of this code
12 ~~or a person as set forth in subdivisions (1) through (8), inclusive, subsection (b) of said section,~~
13 §61-7-6(b)(1) through §61-7-6(b)(8) of this code while the person is acting in his or her official
14 capacity: *Provided, however*, That under no circumstances, except as provided for by the
15 provisions of §61-7-11a(b)(2)(l) of this code may any person possess or carry or cause the
16 possession or carrying of any firearm or other deadly weapon on the premises of any primary or
17 secondary educational facility in this state unless the person is a law-enforcement officer or he or
18 she has the express written permission of the county school superintendent.