

# WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

**Committee Substitute**

**for**

**Senate Bill 339**

SENATORS RUCKER, AZINGER, BOSO, CLINE, MAYNARD,

SYPOLT, TARR, SWOPE, AND ROBERTS, *original*

*sponsors*

[Originating in the Committee on the Judiciary;

Reported on February 11, 2019]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §61-6-19a, relating to clarifying that persons 16 years of age and older may  
3 possess pepper spray on the State Capitol Complex, and in the buildings thereon, solely  
4 for self-defense purposes; defining terms; and authorizing the Director of the Division of  
5 Protective Services to temporarily prohibit the possession of pepper spray on the State  
6 Capitol Complex and in the buildings thereon during designated special events.

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

**ARTICLE 6. CRIMES AGAINST THE PEACE.**

**§61-6-19a. Possession of pepper spray on the State Capitol Complex.**

1 (a) As used in this section, "pepper spray" means a commercially available capsicum-  
2 based lachrymatory aerosol spray, used for purposes of self-defense.

3 (b) Notwithstanding any provision of this code or state policy to the contrary, a person who  
4 is 16 years of age or older may possess pepper spray on the State Capitol Complex, and in the  
5 buildings thereon, solely for purposes of self-defense: *Provided*, That the Director of the Division  
6 of Protective Services may temporarily prohibit the possession of pepper spray on the State  
7 Capitol Complex, and in the buildings thereon, during designated special events.