

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 4**

BY SENATORS OLIVERIO, DEEDS, WOELFEL, THORNE,

TAKUBO, WILLIS, WOODRUM, RUCKER, AND TARR

[Reported January 23, 2026, from the Committee on

the Judiciary]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §61-5-30, relating to crimes against the public justice; defining terms; creating  
3 a barrier around first responders; and creating criminal penalties.

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

**ARTICLE 5. CRIMES AGAINST THE PUBLIC JUSTICE.**

**§61-5-30. Bystanders shall stand 30 feet back from first responders engaged in the lawful performance of their duties.**

1       (a) As used in this section, the term:

2       "First responder" includes a law-enforcement officer as defined in §30-29-1 of this code,  
3       a probation officer as described in §62-12-6 of this code, or a firefighter or emergency responder  
4       as defined in §5H-1-2 of this code.

5       "Harass" means to willfully engage in a course of conduct directed at a first responder  
6       which intentionally causes substantial emotional distress in that first responder and serves no  
7       legitimate purpose.

8       (b) It is unlawful for a person, after receiving a verbal warning to not approach from a  
9       person he or she knows or reasonably should know is a first responder, who is engaged in the  
10       lawful performance of a legal duty, to knowingly and willfully violate such warning and approach  
11       or remain within 30 feet of the first responder acting in a way to:

12       (1) Impede or interfere with the first responder's ability to perform such duty;

13       (2) Threaten or menace the first responder with physical harm; or

14       (3) Harass the first responder.

15       (c) A person who violates this subsection is guilty of a misdemeanor and, upon conviction  
16       thereof, shall be fined not less than \$50 nor more than \$500 or confined in jail not more than one  
17       year, or both fined and confined.