

1 **Senate Bill No. 442**

2 (By Senators Beach, Kessler (Mr. Resident), Fitzsimmons and
3 Williams)

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5 [Introduced January 28, 2014; referred to the Committee on
6 Government Organization; and then to the Committee on the
7 Judiciary.]

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12 A BILL to amend and reenact §61-6-19 of the Code of West Virginia,
13 1931, as amended, relating to permitting those individuals who
14 have been issued concealed weapons permits to keep loaded
15 firearms in their motor vehicles on the State Capitol Complex
16 grounds if the vehicles are locked and the weapons are out of
17 normal view.

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

19 That §61-6-19 of the Code of West Virginia, 1931, as amended,
20 be amended and reenacted to read as follows:

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

22 **§61-6-19. Willful disruption of governmental processes; offenses**
23 **occurring at State Capitol Complex; exception;**

1 **penalties.**

2 (a) If any person willfully interrupts or molests the orderly
3 and peaceful process of any department, division, agency or branch
4 of state government or of its political subdivisions, he or she is
5 guilty of a misdemeanor and, upon conviction thereof, shall be
6 fined not more than \$100 or ~~imprisoned in the county or regional~~
7 confined in jail not more than six months, or both fined and
8 ~~imprisoned~~ confined: *Provided*, That any assembly in a peaceable,
9 lawful and orderly manner for a redress of grievances ~~shall~~ is not
10 ~~be~~ a violation of this section.

11 (b) It is unlawful for any person to bring upon the State
12 Capitol Complex any weapon as defined by ~~the provisions of~~ section
13 two, article seven of this chapter. However, a person who has been
14 issued a concealed weapons permit may keep a loaded firearm in his
15 or her motor vehicle upon the State Capitol Complex if the vehicle
16 is locked and the weapon is out of normal view. It is unlawful for
17 any person to willfully deface any trees, wall, floor, stairs,
18 ceiling, column, statue, monument, structure, surface, artwork or
19 adornment in the State Capitol Complex. It is unlawful for any
20 person or persons to willfully block or otherwise willfully
21 obstruct any public access, stair or elevator in the State Capitol
22 Complex after being asked by a law-enforcement officer acting in
23 his or her official capacity to desist: *Provided*, That in order to

1 preserve the Constitutional right of the people to assemble, it is
2 not willful blocking or willful obstruction for persons gathered in
3 a group or crowd, if the persons move to the side or part to allow
4 other persons to pass by the group or crowd to gain ingress or
5 egress: *Provided, however,* That this subsection ~~shall~~ does not
6 apply to a law-enforcement officer acting in his or her official
7 capacity.

8 Any person who violates ~~any provision of~~ this subsection is
9 guilty of a misdemeanor and, upon conviction thereof, shall be
10 fined not less than \$100 or confined in ~~the county or regional~~ jail
11 not more than six months, or both fined and confined.

NOTE: The purpose of this bill is to permit those individuals who have been issued a concealed weapons permit to keep loaded firearms in their motor vehicles on the State Capitol Complex grounds provided the vehicles are locked and the weapons are out of normal view.

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