

# **WEST VIRGINIA LEGISLATURE**

**2019 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 18**

SENATORS TRUMP, BOSO, TAKUBO, AND CLINE, *original sponsors*

[Originating in the Committee on the Judiciary;

Reported on January 18, 2019]



1 A BILL to amend and reenact §61-6-19 of the Code of West Virginia, 1931, as amended, relating  
2 to crimes against the peace generally; offenses occurring at State Capitol Complex  
3 property; and removing the requirement that a person lawfully entitled to possess a firearm  
4 must have a concealed weapons permit to have a firearm in his or her vehicle on the State  
5 Capitol Complex.

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

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

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

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

7 (b) It is unlawful for any person to bring ~~upon the~~ into any State Capitol Complex building  
8 any weapon as defined in §61-7-2 of this code: *Provided*, That a person ~~who holds a valid, current~~  
9 ~~concealed weapons permit issued by a sheriff of this state or the appropriate authority of another~~  
10 ~~jurisdiction~~ who may lawfully possess a firearm may keep a firearm in his or her motor vehicle  
11 upon the State Capitol Complex if the vehicle is locked and the weapon is out of normal view. It  
12 is unlawful for any person to willfully deface any trees, wall, floor, stairs, ceiling, column, statue,  
13 monument, structure, surface, artwork, or adornment in the State Capitol Complex. It is unlawful  
14 for any person or persons to willfully block or otherwise willfully obstruct any public access, stair,  
15 or elevator in the State Capitol Complex after being asked by a law-enforcement officer acting in  
16 his or her official capacity to desist: *Provided, however*, That, in order to preserve the  
17 constitutional right of the people to assemble, it is not willful blocking or willful obstruction for

18 persons gathered in a group or crowd if the persons move to the side or part to allow other persons  
19 to pass by the group or crowd to gain ingress or egress: *Provided further*, That this subsection  
20 does not apply to a law-enforcement officer acting in his or her official capacity.

21 Any person who violates this subsection is guilty of a misdemeanor and, upon conviction  
22 thereof, shall be fined not less than \$100 or confined in jail not more than six months, or both.