

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

House Bill 3191

By Delegates Green, Martin, Marple, Brooks, Hott,
Kelly, Funkhouser, Ward, Heckert, Browning, and
Cooper

[Introduced March 06, 2025; referred to the
Committee on the Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-5-30, relating to creating a 25-foot barrier around first responders.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. CRIMES AGAINST THE PUBLIC JUSTICE.

§61-5-30. Bystanders shall stand 25 feet back from first responders engaged in the lawful performance of their duties.

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

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

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

(b) It is unlawful for a person, after receiving a verbal warning not to approach from a person he or she knows or reasonably should know is a first responder, who is engaged in the lawful performance of a legal duty, to knowingly and willfully violate such warning and approach or remain within 25 feet of the first responder with the intent to:

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

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

(3) Harass the first responder.

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

NOTE: The purpose of this bill is to create a 25-foot barrier around first responders.

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