

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4921

By Delegates Anders and Dillon

[Introduced January 29, 2026; referred to the

Committee on the Judiciary]

1 A BILL to amend and reenact §61-7B-4 of the Code of West Virginia, 1931, as amended, relating
2 to The West Virginia Second Amendment Preservation and Anti-Federal Commandeering
3 Act; prohibiting illegal attempt by agents or employees of the federal government to
4 enforce certain decrees or writs; establishing misdemeanor penalty; and authorizing
5 enforcement by attorney general.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 7B. THE WEST VIRGINIA SECOND AMENDMENT PRESERVATION AND
ANTI-FEDERAL COMMANDEERING ACT.**

**§61-7B-4. Federal commandeering prohibited; illegal attempt by agents or employees of
the federal government to enforce certain acts; misdemeanor; penalty; enforcement
by attorney general.**

1 (a) No agency of this state, political subdivision of this state, or employee of an agency, or
2 political subdivision of this state, acting in his or her official capacity, may be commandeered by the
3 United States government under an executive order or action of the President of the United States
4 or under an act of the Congress of the United States. Federal commandeering of West Virginia
5 law-enforcement for purposes of enforcement of federal firearms laws is prohibited.

6 (b) Any federal official, agent, or other employee who attempts to enforce any decree or
7 writ in this state that has not specifically passed by congress or issued by other due process of law
8 is guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$500 or
9 confined in jail not more than one year and a day, or both fined and confined. The Attorney General
10 shall enforce the provisions of this subsection.

NOTE: The purpose of this bill is to create a misdemeanor offense by federal agents or employees who attempt to enforce decrees or writs not approved by Congress or issued by due process. The Attorney General is charged with enforcement.

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