WEST VIRGINIA CODE: §18B-20-4

§18B-20-4. Time, place, and manner restrictions.

(a) Any person who wishes to engage in protected and lawful expressive activity on campus shall be permitted to do so freely, as long as the person's conduct is not unlawful, and does not materially and substantially disrupt the functioning of the state institution of higher education.

(b) To enable the state institutions of higher education to function in a safe and secure manner and to advance their missions and objectives, the state institutions of higher education may enact reasonable time, place, and manner restrictions which are content neutral and narrowly tailored to serve a significant state institution of higher education or other governmental interest. A state institution of higher education may deny, cancel, or postpone a reservation, or immediately terminate any ongoing activity that represents a violation of its time, place, and manner restrictions. A state institution of higher education shall endeavor to allow members of the campus community to spontaneously and contemporaneously engage in protected expressive activities.

(c) Nothing in this article shall be interpreted as preventing state institutions of higher education from prohibiting, limiting, or restricting expression not protected by the First Amendment to the Constitution of the United States such as true threats, expression designed to provoke imminent lawless actions and likely to produce it or prohibiting harassment as defined in §18B-20-2 of this code, or sexual harassment as prohibited by federal law and defined by federal regulations applicable to state institutions of higher education.

(d) Nothing in this article shall be construed to authorize a person or group to intentionally, materially, and substantially disrupt another person or group's expressive activity if that activity is occurring in a campus space reserved for that activity under the exclusive use or control of a particular group.

WV Legislature