WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1988

ENROLLED

SENATE BILL NO. 438

(By Senator  )

PASSED February 22, 1988
In Effect ninety days from Passage
AN ACT to amend and reenact section one-b, article six, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the crime of disorderly conduct; designating certain private places where such conduct may constitute a crime; setting forth penalty; and providing definitions.

Be it enacted by the Legislature of West Virginia:

That section one-b, article six, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 6. CRIMES AGAINST THE PEACE.

§61-6-1b. Disorderly conduct; penalty.

(a) Any person who, in a public place, a mobile home park, a public parking area, a common area of an apartment building or dormitory, or a common area of a privately owned commercial shopping center, mall or other group of commercial retail establishments, disturbs the peace of others by violent, profane, indecent or boisterous conduct or language or by the making of unreasonably loud noise that is intended to cause annoyance or alarm to another person, and who persists in such conduct after being requested to desist by a law-enforcement officer acting in
his lawful capacity, is guilty of disorderly conduct, a
misdemeanor, and, upon conviction thereof, shall be fined
not more than one hundred dollars.

(b) For purposes of this section:
(1) "Mobile home park" means a privately-owned
residential housing area or subdivision wherein the
dwelling units are comprised mainly of mobile homes and
wherein the occupants of such dwelling units share
common elements for purposes of ingress and egress,
parking, recreation and other like residential purposes.
(2) "Mobile home" means a moveable or portable unit,
designed and constructed to be towed on its own chassis
(comprised of frame and wheels), and designed to be
connected to utilities for year-round occupancy. The term
includes: (A) Units containing parts that may be folded,
collapsed or telescoped when being towed and that may be
expanded to provide additional cubic capacity, and (B)
units composed of two or more separately towable
components designed to be joined into one integral unit
capable of being separated again into the components for
repeated towing.
(3) "Public parking area" means an area, whether
publicly or privately owned or maintained, open to the use
of the public for parking motor vehicles.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 11th day of March 1988.

Governor
PRESENTED TO THE
GOVERNOR
Date 2/24/88
Time 10:37 a.m.