

SB 513

FILED

2002 MAR 21 P 6:43

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**

*REGULAR SESSION, 2002*



**ENROLLED**

SENATE BILL NO. 513

(By Senator Wooten, ET AL)



PASSED MARCH 7, 2002

In Effect NINETY DAYS FROM Passage

FILED

2002 MAR 21 P 6: 43

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

ENROLLED

## Senate Bill No. 513

(BY SENATORS WOOTON, BURNETTE, FANNING, HUNTER,  
KESSLER, MINARD, MITCHELL, OLIVERIO, REDD, ROSS, ROWE,  
SNYDER, DEEM, FACEMYER AND MCKENZIE)

---

[Passed March 7, 2002; in effect ninety days from passage.]

---

AN ACT to amend article three-b, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section five, relating to creating offense of violating court rules, legislative rules or administrative rules regarding ingress and egress of state government facilities; creating felony offense of violating court rules, legislative rules or administrative rules regarding ingress and egress with intent to commit a crime; and penalties.

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

That article three-b, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section five, to read as follows:

**ARTICLE 3B. TRESPASS.**

**§61-3B-5. Trespass on state government property; aiding and abetting penalties.**

1 (a) Notwithstanding any provision of this code to the  
2 contrary, any person who knowingly and willfully violates  
3 an administrative order of a court, a rule or emergency  
4 rule promulgated by the secretary of administration, a  
5 joint rule of the Senate and House of Delegates or a rule of  
6 the Senate or House of Delegates relating to access to  
7 government buildings or facilities or portions thereof  
8 under their control or who knowingly and willfully aids or  
9 abets another to violate such an order, rule or joint rule is  
10 guilty of a misdemeanor and, upon conviction, shall be  
11 confined for not more than thirty days or fined more than  
12 five hundred dollars, or both.

13 (b) Any person who violates the provisions of subsection  
14 (a) of this section with the intent to commit a crime which  
15 constitutes a misdemeanor is guilty of a misdemeanor and,  
16 upon conviction, shall be confined in a county or regional  
17 jail for not more than one year or fined not more than one  
18 thousand dollars, or both.

19 (c) Any person who violates the provisions of subsection  
20 (a) of this section with the intent to commit a crime which  
21 constitutes a felony is guilty of a felony and, upon conviction,  
22 shall be incarcerated in a state correctional facility  
23 for not less than one nor more than five years or fined not  
24 more than five thousand dollars, or both.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*[Signature]*  
.....  
Chairman Senate Committee

*[Signature]*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*[Signature]*  
.....  
Clerk of the Senate

*[Signature]*  
.....  
Clerk of the House of Delegates

*[Signature]*  
.....  
President of the Senate

*[Signature]*  
.....  
Speaker House of Delegates

The within is approved this the 21<sup>st</sup>  
Day of March ..... 2002.

*[Signature]*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/15/02

Time 5:30 p.m.