



CAMPUS CONVERSATION
HOUSE BILL 2519 "CAMPUS CARRY"

WHAT WE WILL DO TODAY

- / How Today Will Work.
- / Keeping Our Campus Safe.
- / Background and National Perspective.
- / Current West Virginia Law and University Policies.
- / The 2018 Self-Defense Act.
- / House Bill 2519 Overview.

HOW TODAY WILL WORK

- / Hear from Rob.
- / Open question-and-answer session.

KEEPING OUR CAMPUS SAFE

- / University Police Department.
- / Title IX.
- / Talent and Culture.
- / Environmental Health and Safety.

CURRENT WEST VIRGINIA LAW – OUR CAMPUS

- / No public institution of higher education in West Virginia currently permits guns to be carried on campus except in parking lots following the passage of House Bill 4187 in 2018.
 - / Employers and other property owners cannot prohibit any customer, employee or invitee from possessing any legally owned firearm when:
 - / The firearm is out of view.
 - / The weapon is locked inside a motor vehicle in a parking lot.
 - / The individual is lawfully allowed to be present in the area.
- / If someone carrying a firearm enters our property and they refuse to leave, the person may be guilty of criminal trespass.
- / We may take action relating to faculty, staff and students who violate University policy.

CURRENT WVU POLICY

- / In accordance with **WVU-PD-3 Deadly Weapons/Destructive Devices Policy**, the following individuals are authorized to carry firearms on campus with the knowledge and control of University Police:
 - / Law enforcement officers or law enforcement officials.
 - / West Virginia Department of Corrections employees.
 - / U.S. armed forces members or West Virginia militia members.
 - / Any circuit judge, prosecuting attorney, assistant prosecuting attorney or investigator duly appointed by a prosecuting attorney.
 - / Individuals required to possess items prohibited by the policy in order to participate in undertakings sanctioned by WVU, including academic/research programs, historical items and the farm management programs that are approved by the Department of Natural Resources.

NOTE: These individuals must be acting in their official capacity to carry a firearm on campus.

BACKGROUND

- / The “constitutional carry” bill was passed in 2016.
- / The “parking lot” bill was passed in 2018.
- / House Bill 2519, which commonly is called “campus carry,” is a proposed bill for the 2019 West Virginia Legislative session that would permit the carrying of guns for self-defense on college campuses throughout the state.
- / Campus carry is a priority for the National Rifle Association (NRA) and Citizens Defense League (CDL).
- / The issue came close to moving toward law in 2018 through House Bill 4298 – The Campus Self-Defense Act.

NATIONAL PERSPECTIVE

- / Campus carry currently is mandated in 11 states, including Arkansas, Colorado, Georgia, Idaho, Kansas, Mississippi, Oregon, Tennessee, Texas, Utah and Wisconsin.
- / Campus carry currently is banned in 20 states and Washington, D.C. However, some states where campus carry is prohibited permit firearms that are locked in vehicles on campus with the express approval of institutions.
- / In the remaining states, including West Virginia, the carrying of firearms on campus is left to the authority of an institution.

NATIONAL PERSPECTIVE

- / If House Bill 2519 becomes law as introduced:
 - / West Virginia would become the 12th state to require public universities to allow weapons on campus.
 - / West Virginia would become the 4th state to allow 18-year-old permit holders to carry concealed firearms on campus. The state also would require universities to recognize permits from other states.
 - / West Virginia would be the 5th state to force colleges to allow concealed guns in university housing.
- / Most states that have passed campus carry laws also have recognized that many places on a campus are sensitive areas and there are justifiable, common-sense limitations on permitting firearms on college campuses.

THE 2018 “CAMPUS CARRY” ACT

- / House Bill 4298, which commonly was referred to as the campus self-defense act, was introduced in the West Virginia Legislature in 2018.
- / The bill would have removed the ability of the West Virginia Higher Education Policy Commission (HEPC), the West Virginia Community and Technical College System (CTCS) and institutional boards of governors to restrict/regulate the carrying of a concealed deadly weapon by individuals with a:
 - / Current license (both provisional and full licenses, including individuals who are 18-20 years old).
 - / Valid license from another state.
 - / An individual would have been able to carry a firearm on a campus or in the buildings of a state institution of higher education, with limited exceptions.

THE 2018 “CAMPUS CARRY” ACT

- / Under House Bill 4298, state institutions of higher education only would have been able to limit the carrying of a concealed deadly weapon inside:
 - / A stadium or arena with a capacity of more than 5,000 spectators.
 - / A daycare facility located on college or university property.
 - / The secure area of any building used by a law enforcement agency on college or university property.

HOUSE BILL 2519 OVERVIEW

- / Similar to the 2018 legislation, House Bill 2519 would remove the ability of HEPC, CTCS and institutional boards of governors to restrict/regulate the carrying of a concealed weapon by individuals with a current license (both provisional and full licenses, including for people 18-20 years old), as well as valid licenses from other states.
- / The list of exemptions where concealed weapon permit holders could not carry a firearm on campus may include:
 - / Venues or arenas with a capacity of more than 1,500 spectators.
 - / Daycare facilities.
 - / Secure areas of any building used by law enforcement.
 - / Areas where the University has implemented adequate security measures.
 - / Disciplinary hearings.
 - / Areas used exclusively by K-12 or private entities.
 - / Areas where prohibited by state and federal law.
 - / Individual offices.

HOUSE BILL 2519 OVERVIEW

- / Individuals without a permit or anyone who intentionally or knowingly display the firearm in a threatening way can be disciplined.
- / The University has immunity for any incidents involving someone carrying a firearm with a license.
- / WVU retains full authority for non-licensed holders and exempted areas.
- / The University has the ability to secure areas or events.

HOUSE BILL 2519 OVERVIEW – REQUIREMENTS FOR A LICENSE

- / To get a concealed weapons permit in the state, there are a number of requirements, including the county sheriff undertaking an investigation.
- / This may include a nationwide criminal background check consisting of inquiries of the National Instant Criminal Background Check System with respect to the applicant.
 - / The applicant has not been, within the immediate three years preceeding the application:
 - / In a residential or court-ordered treatment for alcoholism or alcohol detoxification or drug treatment; or
 - / Had two or more convictions for driving while under the influence while impaired.
 - / The applicant has not been convicted of a felony unless the conviction has been expunged or set aside or the applicant's civil rights have been restored or the applicant has been unconditionally pardoned for the offense.
 - / The applicant has not been convicted of a misdemeanor crime in the five years immediately preceding the application.

HOUSE BILL 2519 OVERVIEW – REQUIREMENTS FOR A LICENSE

- / The applicant has not been convicted of a misdemeanor crime of domestic violence, or a misdemeanor offense of assault or battery in which the victim was a current or former spouse, current or former sexual or intimate partner, person with whom the defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a member of the defendant's household at the time of the offense.
- / The applicant is not under indictment for a felony offense or is not currently serving a sentence of confinement, parole, probation or other court-ordered supervision imposed by a court of any jurisdiction or is the subject of an emergency or temporary domestic violence protective order or is the subject of a final domestic violence protective order entered by a court of any jurisdiction.
- / The applicant has not been adjudicated to be mentally incompetent or involuntarily committed to a mental institution.
- / The applicant is not prohibited under state or federal law from receiving, possessing or transporting a firearm.

HOUSE BILL 2519 OVERVIEW

- / There was a public hearing on House Bill 2519 on Monday, February 11.
- / The bill currently is in review by the West Virginia Legislature's Judiciary Committee.
- / WVU will continue advocating for the best interests of the University.
- / Outstanding areas of concern:
 - / Laboratories.
 - / Counseling and patient treatment areas.
 - / Effective date.
 - / Residence halls.
 - / Reduce venue threshold.

QUESTIONS?

CONTACT INFORMATION

- / Stay tuned to ENEWS for the latest information on House Bill 2519. Updates also will be available in “**Under the Dome.**” Contact the WVU Government Relations team with any questions.
- / Visit the **West Virginia Legislature** website for contact information if you wish to speak with your local representative.
- / An archived version of this Campus Conversation will be available at **bureaucracybusters.wvu.edu/campus-conversation.**
- / You may continue to submit questions to **campusconversations@mail.wvu.edu.**
- / Stay tuned for upcoming Campus Conversations.