

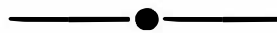
HB 3197

FILED

2009 JUN -5 PM 4: 08

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

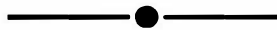
**WEST VIRGINIA LEGISLATURE**  
FIRST REGULAR SESSION, 2009



**SECOND**  
**ENROLLMENT**

**House Bill No. 3197**

(By Delegates Fleischauer, Beach, Shook, Marshall, Manchin,  
Talbot, Miley, Mahan, Caputo, Fragale and Perdue)



Amended and again passed May 27, 2009,  
as a result of the objections of the Governor

In Effect Ninety Days From Passage

**S E C O N D**  
**E N R O L L M E N T**  
**H. B. 3197**

FILED

2009 JUN -5 PM 4: 08

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

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(BY DELEGATES FLEISCHAUER, BEACH, SHOOK,  
MARSHALL, MANCHIN, TALBOTT, MILEY, MAHAN, CAPUTO,  
FRAGALE AND PERDUE)

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[Amended and again passed May 27, 2009, as a result of the  
objections of the Governor; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended,  
by adding thereto a new section, designated §8-12-16b, relating  
to authorizing municipalities to appoint special litter prevention  
officers by ordinance; and authorizing special litter prevention  
officers to perform their duties as provided for by ordinance.

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

That the Code of West Virginia, 1931, as amended, be amended  
by adding thereto a new section, designated §8-12-16b, to read as  
follows:

**ARTICLE 12. GENERAL AND SPECIFIC POWERS,  
DUTIES AND ALLIED RELATIONS  
OF MUNICIPALITIES, GOVERNING  
BODIES AND MUNICIPAL OFFICERS  
AND EMPLOYEES; SUITS AGAINST  
MUNICIPALITIES.**

8314 117 §8-12-16b. **Special litter prevention officers.**

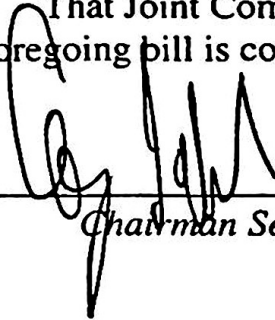
1 (a) A municipality that has adopted an anti-littering  
2 ordinance pursuant to section five of this article may provide,  
3 by ordinance, for the appointment of special litter prevention  
4 officers to aid in the enforcement of the municipal anti-  
5 littering ordinance.

6 (b) The ordinance enacted, pursuant to this section, must  
7 specify the duties to be performed by the special litter  
8 prevention officers and the required training such officers  
9 must undertake prior to commencement of their duties.

10 (c) Notwithstanding any other provision of this code, a  
11 special litter prevention officer may be presently employed  
12 by the municipality in another capacity. In the performance  
13 of the duties of special litter prevention officer, such officers  
14 shall be vested with the power to issue a citation, issue a  
15 summons, and sign a complaint. Such officers shall display  
16 at all times a badge or other sign of authority issued by the  
17 municipality.

18 (d) The governing body of the municipality may require  
19 such special litter prevention officers to give bond, payable  
20 to the municipality, in its corporate name, with such sureties  
21 and such penalties as the governing body may see fit,  
22 conditioned for the faithful performance of their duties.

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

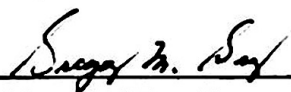
  
\_\_\_\_\_  
Chairman Senate Committee

  
\_\_\_\_\_  
Chairman House Committee

Originating in the House.

In effect ninety days from passage.

  
\_\_\_\_\_  
Clerk of the Senate

  
\_\_\_\_\_  
Clerk of the House of Delegates

  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House of Delegates

The within is approved this the 5<sup>th</sup>  
day of June, 2009.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

JUN - 1 2009

Time 10:10am