

HB 3197 (veto)

FILED

2009 MAY -7 PM 3: 30

OFFICE WEST VIRGINIA
SECRETARY OF STATE

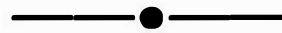
WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2009



ENROLLED

House Bill No. 3197

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



Passed April 11, 2009

In Effect Ninety Days from Passage

ENROLLED FILED

H. B. 3197

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**OFFICE WEST VIRGINIA
SECRETARY OF STATE**

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

[Passed April 11, 2009; 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 §8-12-6b, 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.**

§8-12-16b. Special litter prevention officers.

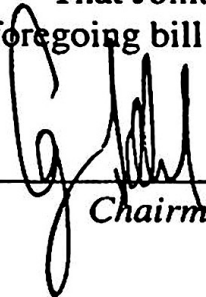
1 (a) A municipality that has adopted an anti-littering
2 ordinance pursuant to section five of this article may provide,
3 by ordinance, for the appointment of special litter prevention
4 officers to aid in the enforcement of the municipal anti-
5 littering ordinance.

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 disapproved~~ this the 7th
day of May, 2009.



Governor

PRESENTED TO THE
GOVERNOR

MAY 5 2009

Time 2:50 pm