

HB 3143

FILED

2011 APR -5 PM 5: 04

OFFICE OF THE CLERK
SECRETARY OF STATE

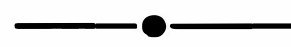
WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2011



ENROLLED

**COMMITTEE SUBSTITUTE
FOR
House Bill No. 3143**

(By Delegates Pasdon, Hall, Craig, R. Phillips,
Miley and Boggs)



Passed March 12, 2011

In Effect Ninety Days From Passage

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COMMITTEE SUBSTITUTE

FOR

H. B. 3143

(BY DELEGATES PASDON, HALL, CRAIG, R. PHILLIPS,
MILEY AND BOGGS)

[Passed March 12, 2011; in effect ninety days from passage.]

AN ACT to amend and reenact §19-20-24 of the Code of West Virginia, 1931, as amended; and to amend and reenact §61-3E-6 of said code; all relating to increasing penalties for causing injury or death to certain animals used by law enforcement or in law enforcement duties; and providing for restitution to the agency or department that owns or owned the animal.

Be it enacted by the Legislature of West Virginia:

That §19-20-24 of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that §61-3E-6 of said code be amended and reenacted, all to read as follows:

CHAPTER 19. AGRICULTURE.

ARTICLE 20. DOGS AND CATS.

§19-20-24. Causing death or injury to animals used by law-enforcement officials or by fire prevention or investigation officials; criminal penalties.

1 Any person who, without justification, and with the
2 unlawful intent to inflict serious physical injury or death,
3 causes the death of any trained dog or horse used by law-
4 enforcement officials, the Department of Military Affairs and
5 Public Safety or by fire prevention or investigation officials
6 in the performance of their official duties is guilty of a felony
7 and, upon conviction thereof, shall be fined not less than
8 \$500 nor more than \$5,000 and imprisoned in a correctional
9 facility for a definite term of not less than one year nor more
10 than three years.

11 Any person who, without justification, willfully and
12 unlawfully causes physical injury to any trained dog or horse
13 used by law-enforcement officials, the Department of
14 Military Affairs and Public Safety or by fire prevention or
15 investigation officials in the performance of their official
16 duties is guilty of a misdemeanor and, upon conviction
17 thereof, shall be fined not more than \$500 or confined in jail
18 not more than six months, or both.

19 Any person convicted of a violation of this section shall
20 be ordered to make restitution to the law-enforcement
21 agency, the Department of Military Affairs and Public Safety
22 or to the State Fire Marshal or other fire prevention or
23 investigation department or agency owning the animal for
24 any veterinary bills, and replacement costs of any disabled or
25 killed animal.

CHAPTER 61. CRIMES AND THEIR PUNISHMENT.

ARTICLE 3E. OFFENSES INVOLVING EXPLOSIVES.

§61-3E-6. Causing death or injury to an explosives detection animal; penalty.

1 Any person who violates the provisions of this article
2 which violation causes death, serious or debilitating bodily
3 injury to an explosives detection animal owned or used by a
4 law-enforcement agency, shall be guilty of a felony and,
5 upon conviction thereof, be committed to the custody of the
6 Division of Corrections for not less than one year nor more
7 than five years or fined not more than \$5,000 or both. Any
8 person convicted of a violation of this section shall be
9 ordered to make restitution to the law-enforcement agency,
10 the Department of Military Affairs and Public Safety or to the
11 State Fire Marshal or other fire prevention or investigation
12 department or agency owning the animal for any veterinary
13 bills, and replacement costs of any disabled or killed animal.

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



Chairman, House Committee



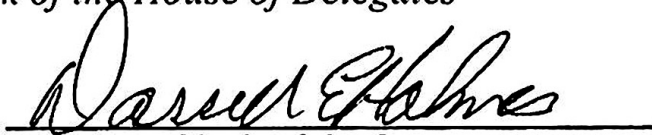
Chairman, Senate Committee

Originating in the House.

To take effect ninety days from passage.




Clerk of the House of Delegates



Clerk of the Senate




Speaker of the House of Delegates



Acting President of the Senate

The within is approved this the 5th
day of April, 2011.



Governor

PRESENTED TO THE GOVERNOR

MAR 31 2011

Time 11:30 am
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