

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1955

ENROLLED

HOUSE BILL No. 192

(By Mr. England)

PASSED Mar 8 1955

In Effect 90 days 1 Passage

Filed in the Office of the Secretary of State
of West Virginia

MAR 15 1955

D. PITT O'BRIEN
SECRETARY OF STATE

ENROLLED
COMMITTEE SUBSTITUTE FOR
House Bill No. 192

(Originating in the Committee on Agriculture.)

[Passed March 8, 1955; in effect ninety days from passage.]

AN ACT to amend chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, to be designated twenty-a, relating to the vaccination of dogs and the prevention of rabies.

Be it enacted by the Legislature of West Virginia:

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

- Section 1. *Purpose and Policy.*—This article is hereby
- 2 declared to be an emergency measure to dispose of a sur-
- 3 plus lot of dogs and to check the spread of rabies for the

4 immediate preservation of life, health and safety for the
5 reason that rabies is spreading among dogs, and becoming
6 a menace and danger to people, livestock, poultry and
7 game, and the provisions herein are designated to prevent
8 the spread of rabies and its menace to all living things.

Sec. 2. *Vaccination of Dogs.*—Whoever owns, keeps or
2 harbors a dog or dogs within the boundaries of any
3 county in the state of West Virginia shall, on or before the
4 first day of June, one thousand nine hundred fifty-five,
5 have such dog or dogs properly vaccinated or immunized
6 against rabies, and shall each year thereafter have such
7 dog or dogs re-vaccinated. After the first day of June,
8 one thousand nine hundred fifty-five, whoever obtains an
9 unvaccinated dog or dogs shall at once have such dog or
10 dogs properly vaccinated against rabies and shall have
11 such vaccination repeated yearly: *Provided, however,*
12 *That dogs need not be vaccinated before the age of three*
13 *months: Provided further, That dogs entering the state*
14 *of West Virginia temporarily cannot be kept and main-*
15 *tained within the state of West Virginia for a period of*
16 *more than thirty days unless properly vaccinated. Any-*

17 one owning a dog or dogs can have them vaccinated by
 18 any veterinarian, or doctor of medicine or any substitute
 19 working with or under any veterinarian or doctor of
 20 medicine, subject to the approval of the county court or
 21 the county health department.

Sec. 3. *Vaccination Record and Report.*—Whoever vac-
 2 cinates or re-vaccinates a dog or dogs against rabies shall
 3 keep a record of such vaccination or re-vaccination, and
 4 on or before the first day of each calendar month there-
 5 after, shall mail to or deliver to the county clerk of the
 6 county where the vaccination takes place a report of such
 7 vaccination or re-vaccination which shall include a number
 8 identifying the individual record of the dog vaccinated,
 9 a complete description of the dog, place where the dog
 10 is kept or harbored, name of the owner, keeper or har-
 11 borer, his or her address, date and type of vaccination
 12 or re-vaccination and such other information as may be
 13 required by the county health department or the county
 14 court over the signature of the person reporting.

Sec. 4. *Vaccination Tag and Certificate.*—There shall
 2 be provided by the state department of agriculture uni-

3 form certificates to be approved by the commis-
4 sioner of agriculture, and which shall be furnished to
5 each county so that the veterinarian or doctor of medi-
6 cine, or the person vaccinating each animal can make
7 his proper reports, and he shall retain one for himself,
8 give a certificate to the owner for whom he does the work,
9 and file one copy with the clerk of the county court. Tags
10 to be furnished by the county court shall be of a dis-
11 tinctive and easily recognized color, and shall have there-
12 on engraved, or stamped, the year of vaccination and the
13 number indicating the record above described. Such
14 tag shall be securely fastened to the collar worn by
15 the dog and shall be given to the owner by the veterinar-
16 ian, the doctor of medicine or the person vaccinating
17 the dog at the time of vaccination.

Sec. 5. Medicine Furnished by Person Administering

2 *Vaccine.*—It shall be the duty of the veterinarian, doctor
3 or person vaccinating each animal to furnish the vaccine
4 which he administers and he shall charge and collect for
5 his services a fee not to exceed one dollar and fifty cents
6 for each animal vaccinated.

Sec. 6. *Penalties.*—Whoever owns, keeps or harbors a
 2 dog or dogs and fails to have such dog or dogs vaccinated
 3 or re-vaccinated against rabies; and whoever vaccinates
 4 a dog or dogs against rabies and fails or refuses to keep
 5 and report the required record of such vaccination, or
 6 fails or refuses to provide the required tag, or whoever
 7 obstructs or interferes in any way with the enforcement
 8 of any section of this article, shall, upon conviction, be
 9 fined not less than ten dollars nor more than fifty dollars,
 10 or be confined in the county jail not less than ten days
 11 nor more than sixty days, or both.


Sec 7. *Enforcement of Law.*—The enforcement of the
 2 provisions of this article shall be in the hands of the
 3 sheriff of each county, any of his deputies, constables,
 4 conservation commission officers, commonly known as
 5 game wardens, and, if deemed necessary, there shall be
 6 a special officer to be appointed by the county court, who
 7 is authorized, empowered, and directed to inspect rabies,
 8 pick up dogs and dispose of dogs which are not taxable
 9 or not vaccinated according to this article. The sheriff of
 10 each county can have one or more sittings, if deemed

11 necessary, in each district of the county, at which he shall
12 be present or have present one of his deputies or the
13 special officer above provided for, to take charge of all
14 delinquent dogs and homeless dogs that are not vacci-
15 nated. The assessor of each county, or one of his deputies,
16 shall accompany the veterinarian, doctor, or the one who
17 administers the vaccine in these sittings for the purpose
18 of collecting taxes on dogs. All dogs that are not vac-
19 cinated and taxes paid upon shall become the responsi-
20 bility of the sheriff to catch and dispose of as is provided
21 by law.

Sec. 8. *Dogs Vaccinated May Run at Large; Confine-*
2 *ment May Be Required.*—Dogs vaccinated in compliance
3 with the provisions of this article may run at large in any
4 area or locality subject to a quarantine established by the
5 commissioner of agriculture pursuant to article nine of
6 this chapter, but the commissioner may, in his discre-
7 tion, require all such vaccinated dogs, as well as dogs
8 not vaccinated, within the limits of any such quarantined
9 area or locality to be confined as provided in said article
10 nine.

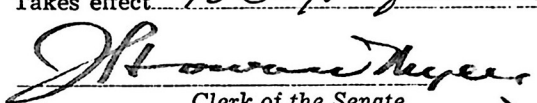
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

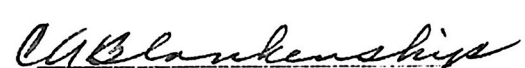

Chairman Senate Committee

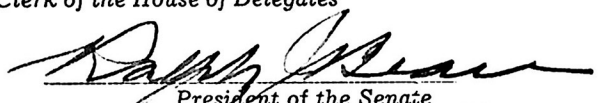

Chairman House Committee

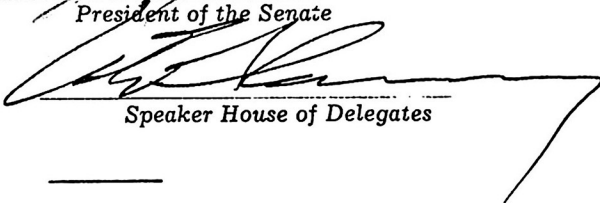
Originated in the House of Delegates

Takes effect 90 days from passage.

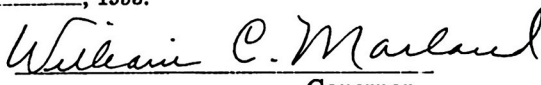

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within approved this the 14
day of March, 1953.


Governor

Filed In the Office of the Secretary of State
of West Virginia. **MAR 15 1955**
D. PITT O'BRIEN
SECRETARY OF STATE