WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1963

ENROLLED

HOUSE BILL No. 156

(By Mr. Barwise and Mr. Casey)

PASSED Feb. 15, 1963

In Effect Ninety Days From Passage

Filed in Office of the Secretary of State
of West Virginia 2-21-63.

JOE F. BURDETT
SECRETARY OF STATE
ENROLLED

House Bill No. 156
(By Mr. Baker and Mr. Casey)

[Passed February 15, 1963; in effect ninety days from passage.]

AN ACT to amend and reenact section eight, article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to property used for illegal purposes and providing for its seizure and disposition.

Be it enacted by the Legislature of West Virginia:

That section eight, article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Article 7. Law Enforcement, Procedures and Penalties.

Section 8. Property Used for Illegal Purposes; Seizure and Disposition.—Any officer, when he arrests or other—
wise takes a person into custody for violating any provision or provisions of this chapter, is hereby also authorized and empowered to take and impound any property found in the possession of the accused and susceptible of use in committing the offense of which the person is accused. Such property shall include firearms, fishing equipment, traps, boats, or any other device, appliance or conveyance, but shall not include dogs.

If the accused is acquitted the property seized shall be returned. If the accused is convicted and pays the fine, costs and other penalties, the property shall be returned, but if the accused fails to pay the fine and costs, the property shall be sold at public auction in such manner as the director may prescribe. The proceeds of the sale shall be applied toward the payment of the fine and costs. The remainder, if any, shall be paid to the owner of the seized property.

Whenever a person is convicted of a violation of this chapter a second time, the property seized at the time of arrest shall in any case be declared forfeited to the state and shall be sold in the manner provided by this section.
Property seized, the use of which is forbidden by this chapter, or which is unfit or unsafe for further use, shall be declared forfeited to the state and shall be disposed of by the director.
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.

Takes effect Ninety 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 20th day of February, 1963.

Governor