

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1973

ENROLLED

SENATE BILL NO. 84

(By Mrs. Leonard)

PASSED April 14, 1973

In Effect 90 Days from Passage



FILED IN THE OFFICE  
EDGAR F. HEISKELL III  
SECRETARY OF STATE  
THIS DATE 5/3/73

84

**ENROLLED**  
**Senate Bill No. 84**  
(By Mrs. Leonard)

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[Passed April 14, 1973; in effect ninety days from passage.]

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AN ACT to amend and reenact section twelve, article twenty, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to agriculture; dogs protected by law; unlawful killing thereof; aggrieved owner's remedy; penalties; removal of age requirement.

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

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

**ARTICLE 20. DOGS.**

**§19-20-12. Dogs protected by law; unlawful killing thereof; aggrieved owner's remedy; penalties.**

1 Any dog which is registered, kept and controlled as pro-  
2 vided in this article or any dog, irrespective of age, which  
3 shall be owned and kept by any person shall be protected  
4 by law; and any person who shall unlawfully steal, kill  
5 or injure, administer poison to or knowingly expose the  
6 same so that it shall be taken by any such dog, or shall,  
7 in any other manner, intentionally and unlawfully cause the  
8 death or injury of any such dog shall be guilty of a mis-  
9 demeanor, and, if such dog be of the assessed value of  
10 more than twenty dollars, shall, upon conviction, be im-  
11 prisoned in the county jail for a period not in  
12 excess of twelve months, or fined not in excess of two hun-  
13 dred dollars, or both, in the discretion of the court; and if  
14 such dog be of twenty dollars or less in assessed value,

15 such person shall be imprisoned in the county jail  
16 for a period not in excess of six months, or fined not  
17 in excess of fifty dollars, or both, in the discretion of the  
18 court. Any person whose dog shall be killed or injured  
19 wrongfully or unlawfully by any other person shall have a  
20 right of action against the person who shall so kill or in-  
21 jure such dog, but in no case can recovery be had in excess  
22 of the assessed value of such dog. In no case can any action  
23 under the provisions of this section be maintained if the  
24 dog concerned shall not have been duly registered pur-  
25 suant to the provisions of this article or owned and kept  
26 pursuant to the provisions of this section at the time the  
27 cause of action shall have arisen.

28 It shall be the duty of all members of the department of  
29 public safety, sheriffs, constables and police officers to aid  
30 in the enforcement of the provisions of this article, and  
31 for services rendered in the enforcement thereof such per-  
32 sons shall be entitled to fees in the amounts set forth in  
33 section eight. Such fees shall be paid by the county court  
34 from the dog and kennel fund.

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

*H. Darrel Darty*  
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Chairman Senate Committee

*Lawrence C. Christian Jr.*  
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Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Howard W. Carson*  
-----  
Clerk of the Senate

*V. A. Blankenship*  
-----  
Clerk of the House of Delegates

*W. T. Brotherton Jr.*  
-----  
President of the Senate

*Lewis F. H. Mans*  
-----  
Speaker House of Delegates

The within *approved* this the *25<sup>th</sup>*  
day of *April*, 1973.

*Archie Mans Jr.*  
-----  
Governor

PRESENTED TO THE  
GOVERNOR

Date 4/25/73

Time 3:35 p.m.

RECEIVED

MAY 3 9 35 AM '73

OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA