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OFFICE OF  
SECRETARY OF STATE  
STATE HOUSE, MARTINSBURG

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1976

— ● —

# ENROLLED

HOUSE BILL No. 1174

(By Mr. Scott.....)

— ● —

PASSED March 13,..... 1976

In Effect ninety days from..... Passage



FILED IN THE OFFICE  
JAMES R. MCCARTNEY  
SECRETARY OF STATE

THIS DATE 3/26/76

**ENROLLED**

**H. B. 1174**

(By MR. SCOTT)

[Passed March 13, 1976; in effect ninety days from passage.]

AN ACT to amend and reenact section ten, article twenty, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the county dog and kennel fund and disposition of the funds therefrom; mileage for dog wardens.

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

That section ten, 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.**

**§19-20-10. Dog and kennel fund; disposition thereof.**

1 All registration fees, head taxes, and fees and costs for  
2 impounding and disposing of dogs, as provided in this article,  
3 and collected thereunder, shall be paid into the county  
4 treasury where they shall constitute and be set aside as a  
5 special fund to be designated the "dog and kennel fund."

6 The county commission shall expend such fund, and issue  
7 drafts payable therefrom, for the following purposes, and no  
8 others: To pay the actual expenses incurred by the county  
9 commission, the county assessor, and the sheriff in carrying  
10 out the provisions of this article; to pay for the services of the  
11 dog warden, his deputies, poundkeepers, and such other persons  
12 as may be employed, if any, or may render services, in actually  
13 carrying out the provisions of this article; to pay in its discre-  
14 tion to the dog warden and his deputies mileage at the rate up to

15 fifteen cents per mile for the use of their privately owned vehi-  
16 cles actually used in carrying out the provisions of this article;  
17 to pay for the purchase, procurement, rental, construction, oper-  
18 ation, maintenance and repair of any property, devices or facili-  
19 ties reasonably necessary and required to carry out the provi-  
20 sions of this article; to compensate any department of the state  
21 government or any local board of health for any necessary ser-  
22 vice rendered in connection with this article; to pay the costs of  
23 any rabies control project or program authorized by law; to  
24 compensate any persons who have suffered loss or damage on  
25 account of the destruction, loss, or injury by dogs of any sheep,  
26 lamb, goat, kid or poultry, when such claims have been proved  
27 and allowed as provided in this article: *Provided, however,*  
28 That such compensation authorized by the county commis-  
29 sion shall not exceed an amount double the assessed value  
30 of the destroyed or injured animals or poultry as shown  
31 on the assessor's records, and in the event such animals are  
32 not assessed, then compensation authorized by said court  
33 shall not exceed the average assessed value of like animals  
34 or poultry, or if no like animal or poultry is assessed, then  
35 not to exceed the fair market value as determined by the  
36 county commission.

37 In the event that the dog and kennel fund shall in any  
38 year be insufficient to pay the several items set forth in this  
39 section, then the county commission, may be, and it is  
40 hereby, authorized and empowered to pay such items out  
41 of the county general fund. Any surplus of the dog and  
42 kennel fund remaining unexpended in the county treasury,  
43 and, in the opinion of the county commission, not needed  
44 for the payment and satisfaction of claims and expenses as  
45 herein provided, shall annually be paid into and credited to  
46 the county school fund, but the funds thus used shall be in  
47 an amount deemed proper and safe in the judgment and  
48 discretion of the county commission.

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

*James L. Davis*

Chairman Senate Committee

*Clarence C. Christian*

Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

*J. Millan, Jr.*  
Clerk of the Senate

*C. Blankenship*  
Clerk of the House of Delegates

*H. B. Hutton*  
President of the Senate

*Louis R. M. Manus*  
Speaker House of Delegates

The within *approved* this the *24th*  
day of *March*, 1976.

*Arch A. Chace, Jr.*  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3/19/76

Time 4:40 p.m.