

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-28-79

Time 8:25 p.m.

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1979

— ● —

# ENROLLED

HOUSE BILL No. 1067

(By Mr. Givens )

— ● —

Passed March 10, 1979

In Effect Ninety Days From Passage



No. 1067

**ENROLLED**

**H. B. 1067**

(By MR. GIVENS)

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[Passed March 10, 1979; in effect ninety days from passage.]

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AN ACT to amend and reenact section four, article ten, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to providing a more specific definition of cruelty to animals; elimination of the lien for care and provision for such animals.

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

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

**ARTICLE 10. HUMANE OFFICERS.**

**§7-10-4. Custody and care of animals abandoned, neglected or cruelly treated.**

1 Such officers shall take charge of any animal found  
2 abandoned, neglected, or cruelly, unnecessarily or needlessly  
3 beaten, tortured, tormented, mutilated, or overloaded, over-  
4 driven or willfully deprived of necessary sustenance or ade-  
5 quate shelter, and shall thereupon give notice thereof to the  
6 owner, if known, and shall care and provide for such animal  
7 until the owner shall take charge of the same: *Provided*, That  
8 if it shall appear to such officers that the owner has willfully  
9 abandoned, neglected or cruelly, unnecessarily or needlessly  
10 beaten, tortured, tormented, mutilated, or overloaded, over-  
11 driven or willfully deprived of necessary sustenance or ade-  
12 quate shelter such animal, the animal shall not be returned

13 to him until he has been acquitted of the charge, or, if  
14 convicted thereof, until he has given bond as provided in the  
15 last preceding section, and not then until he has fully paid  
16 all charges for the care and provisions for such animal during  
17 the time it shall have been in the possession of such humane  
18 officer.

19 This section shall not apply to farm livestock or poultry  
20 which are kept and maintained by usual and accepted standards  
21 of livestock or poultry production upon a farm.

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

*James L. Davis*  
Chairman Senate Committee

*Clarence L. Chestnut Jr.*  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

*J. C. Dillon, Jr.*  
Clerk of the Senate

*W. Blankenship*  
Clerk of the House of Delegates

*W. B. B. B. B.*  
President of the Senate

*Hyde M. Lee, Jr.*  
Speaker House of Delegates

The within *is approved* this the *28*  
day of *March*, 1979.

*James D. Rhyne*  
Governor



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OFFICE OF THE GOVERNOR

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