WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1982

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ENROLLED

HOUSE BILL No. 1411

(By Mr. Ballouz)

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Passed March 11, 1982

In Effect Ninety Days From Passage
AN ACT to amend and reenact section five-a, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to wildlife resources; and to replacement fees for wildlife and forfeiture procedures.

Be it enacted by the Legislature of West Virginia:

That section five-a, article two, 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 2. WILDLIFE RESOURCES.

§20-2-5a. Forfeiture by person causing injury, death or destruction of game or protected species of animal; replacement values thereof; forfeiture procedures.

1 Any person who is convicted of violating any criminal law of this state and the violation causes or results in the injury, death or destruction of game, as defined in section two, article one of this chapter, or a protected species of animal, in addition to any other penalty to which he is subject, shall forfeit the cost of replacing such game or protected species of animal to the state. For such purpose, replacement values for game and protected species of animals are as follows:

(1) For each game fish or each fish of a protected species taken illegally other than by pollution kill, five dollars for each pound and any fraction thereof;
(2) For each bear, elk or eagle, five hundred dollars;
(3) For each deer or raven, two hundred dollars;
(4) For each wild turkey, hawk or owl, one hundred dollars;
(5) For each beaver, otter or mink, twenty-five dollars;
(6) For each muskrat, raccoon, skunk or fox, fifteen dollars;
(7) For each rabbit, squirrel, opossum, duck, quail, woodcock, grouse or pheasant, ten dollars; and
(8) For each wild boar, two hundred dollars; and
(9) For any other game or protected species of animal, ten dollars each.

The court upon convicting such person shall order him to forfeit to the state the proper amount based on the values set forth herein for the game or protected species of animal the injury, death or destruction of which he caused or which resulted from his criminal act. If two or more defendants are convicted for the same violation causing, or resulting in, the injury, death or destruction of game or protected species of animal, the forfeiture shall be declared against them jointly and equally. The forfeiture shall be paid by the person so convicted and ordered to pay the forfeiture within the time prescribed by the court, but not exceeding sixty days. In each instance, the court shall pay such forfeiture to the state treasury where it shall be credited to the department of natural resources to be used only for the replacement, habitat management or enforcement programs for injured, killed or destroyed game or protected species of animal.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within _______________ this the ______
day of _______________, 1982.

[Signature]
Governor