

No. 1943

APPROVED AND SIGNED BY THE GOVERNOR

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OFFICE OF THE GOVERNOR

Date 3-29-83

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983

— ● —

ENROLLED

Com. Sub. for
HOUSE BILL No. 1943

(By Mr. Williams)

— ● —

Passed March 12, 1983

In Effect Ninety Days From Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 1943

(By MR. WILLIAMS)

[Passed March 12, 1983; in effect ninety days from passage.]

AN ACT to amend article one, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section two-c, relating to the authority and duty of security officers appointed by the commissioner of the department of finance and administration; creating the crime of killing or molesting animals, birds or fowls upon the grounds of the capitol buildings or governor's mansion or knowingly allowing a dog or other animal to do so; creating the crime of knowingly allowing a dog to be upon the grounds of the capitol buildings or governor's mansion except under control by leash; creating the crime of knowingly allowing a dog or other animal to defecate upon said ground and subsequently failing to remove said defecation; and proving criminal penalties.

Be it enacted by the Legislature of West Virginia:

That article one, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section two-c, to read as follows:

ARTICLE 1. DEPARTMENT OF FINANCE AND ADMINISTRATION.

§5A-1-2C. Unlawful to kill or molest animals, birds or fowls upon grounds of capitol; powers and duties of security officers; penalties.

1 In addition to the duties of persons appointed and quali-
2 fied as security officers pursuant to section two-b of this
3 article, to preserve law and order on any premises under the
4 jurisdiction of the commissioner to which he may be assigned
5 by the commissioner, such security officers shall have authority
6 and it shall be the duty of such security officers to enforce
7 the provisions of this section. This authority and duty of
8 security officers shall not be deemed to supersede in any way
9 the authority or duty of other peace officers to enforce the
10 provisions of this section.

11 It shall be unlawful at any time to kill or molest in any
12 manner, any animals, birds or fowls on the grounds of the
13 capitol buildings or governor's mansion, except as may be
14 deemed necessary by the commissioner for the control or ex-
15 termination of animals, birds or fowls deemed by him to be
16 pests or a danger to the health and safety. Any person who
17 kills or molests in any manner, or knowingly allows a dog or
18 other animal owned by him to kill or molest in any manner any
19 animals, birds or fowls on the grounds of the capitol buildings
20 or governor's mansion shall be guilty of a misdemeanor, and,
21 upon conviction thereof, be fined not less than fifty dollars
22 nor more than five hundred dollars or, in the discretion of the
23 court, be imprisoned in the county jail for not more than six
24 months, or both such fine and imprisonment.

25 It shall be unlawful for any person to knowingly allow a
26 dog owned by him to be upon the grounds of the capitol build-
27 ings or governor's mansion unless such dog is under control by
28 leash. Any person who knowingly allows a dog owned by him
29 to be upon the grounds of the capitol buildings or governor's
30 mansion while not under control by leash shall be guilty of
31 a misdemeanor, and, upon conviction thereof, be fined not less
32 than twenty-five nor more than one hundred dollars.

33 It shall further be unlawful for any person to knowingly
34 allow a dog or other animal owned by him or under his control

35 to defecate upon the grounds of the capitol buildings or
36 governor's mansion. In the event that a dog or other animal
37 owned by or under the control of a person defecates upon the
38 grounds of the capitol buildings or governor's mansion, the
39 person shall remove such defecation. Any person who know-
40 ingly allows a dog or other animal owned by him or under his
41 control to defecate upon the grounds of the capitol buildings
42 or governor's mansion and who subsequently fails to remove
43 said defecation, shall be guilty of a misdemeanor, and, upon
44 conviction thereof, shall be fined not less than twenty-five nor
45 more than one hundred dollars.

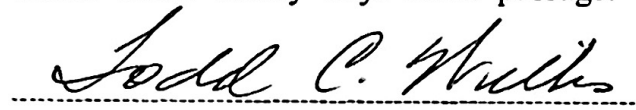
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled


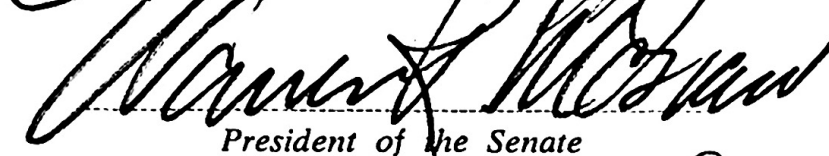

Chairman Senate Committee

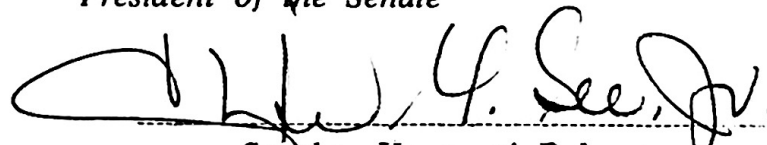

Chairman House Committee

Originating 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 is approved this the 29
day of March, 1983.


Governor

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83 MAR 31 All: 22

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SECY. OF STATE