WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1983

ENROLLED
Con. Sub. for
HOUSE BILL No. 1943

(By Mr. Williams)

Passed March 12, 1983
In Effect Ninety Days From Passage

APPROVED AND SIGNED BY THE GOVERNOR
Date 3-29-83
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.

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

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

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

It shall further be unlawful for any person to knowingly allow a dog or other animal owned by him or under his control
to defecate upon the grounds of the capitol buildings or
governor's mansion. In the event that a dog or other animal
owned by or under the control of a person defecates upon the
grounds of the capitol buildings or governor's mansion, the
person shall remove such defecation. Any person who know-
ingly allows a dog or other animal owned by him or under his
control to defecate upon the grounds of the capitol buildings
or governor's mansion and who subsequently fails to remove
said defecation, shall be guilty of a misdemeanor, and, upon
conviction thereof, shall be fined not less than twenty-five nor
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 bill is approved this the 29 day of March, 1983.

Governor