WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987

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ENROLLED

HOUSE BILL No. 2399

(By Delegate Love)

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Passed March 13, 1987

In Effect Ninety Days from Passage
ENROLLED

H. B. 2399
(By Delegate Love)

[Passed March 13, 1987; in effect ninety days from passage.]

AN ACT to amend and reenact sections one, two, three, four, six, seven and eight, article twenty-a, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to vaccination of dogs and cats for rabies; purpose and policy; vaccination record and report; vaccination tag and certificate; offenses and penalties; enforcement of article; vaccinated dogs and cats may run at large; and confinement may be required.

Be it enacted by the Legislature of West Virginia:

That sections one, two, three, four, six, seven and eight, article twenty-a, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

ARTICLE 20A. VACCINATION OF DOGS AND CATS FOR RABIES.

§19-20A-1. Purpose and policy.

1 The purpose of this article is to establish a rabies vaccination procedure for dogs and cats and to check the spread of rabies for the immediate preservation of life, health and safety for the reason that rabies is spreading among dogs and cats, and becoming a menace and danger to people, livestock, poultry and game, and the provisions herein are designated to prevent the spread of rabies.

1 Whoever owns, keeps or harbors a dog or cat within the boundaries of any county in the state of West Virginia shall, on or before the first day of June, one thousand nine hundred eighty-seven, have such dog or cat properly vaccinated or immunized against rabies with a vaccine capable of producing immunity for two years and shall every second year thereafter have such dog or cat revaccinated with a vaccine capable of producing immunity for two years. After the first day of June, one thousand nine hundred eighty-seven, whoever obtains an unvaccinated dog or cat shall at once have such dog or cat properly vaccinated against rabies with a vaccine capable of producing immunity for two years and shall have such vaccination repeated every second year with a vaccine capable of producing immunity for two years: Provided, That dogs and cats need not be vaccinated before the age of three months, but must be vaccinated by the age of six months: Provided, however, That dogs and cats entering the state of West Virginia temporarily cannot be kept and maintained within the state of West Virginia for a period of more than thirty days unless properly vaccinated. Anyone owning a dog or cat can have them vaccinated by any veterinarian or person working with or under such veterinarian, or if there be no resident veterinarian in the county, by such other qualified person as may be appointed by the county commission, who shall work under the supervision of the county health department.


1 Whoever vaccinates or revaccinates a dog or cat against rabies shall keep a record of such vaccination or revaccination, and on or before the first day of each calendar month thereafter, shall mail to or deliver to the county clerk of the county where the vaccination takes place a report of such vaccination or revaccination which shall include a number identifying the individual record of the dog or cat vaccinated, a complete description of the dog or cat, place where the dog or cat is kept or harbored, name of the owner, keeper or harborer, his
or her address, date and type of vaccination or revacci-

cination and such other information as may be required
by the county health department or the county commis-
sion over the signature of the person reporting.

§19-20A-4. Vaccination tag and certificate.

There shall be provided by the state department of
agriculture uniform certificates to be approved by the
commissioner of agriculture, and which shall be
furnished to each county so that the veterinarian or
doctor of medicine, or the person vaccinating each
animal can make his proper reports, and he shall retain
one for himself, give a certificate to the owner for whom
he does the work, and file one copy with the clerk of the
county commission. Tags to be furnished by the county
commission shall be of a distinctive and easily recog-
nized color, and shall have thereon engraved, or
stamped, the year of vaccination and the number
indicating the record above described. Such tag shall be
securely fastened to the collar worn by the dog and shall
be given to the owner by the veterinarian, the doctor of
medicine or the person vaccinating the dog or cat at the
time of vaccination.

§19-20A-6. Offenses and penalties.

Whoever owns, keeps or harbors a dog or cat and fails
to have such dog or cat vaccinated or revaccinated
against rabies, and whoever vaccinates a dog or cat
against rabies and fails or refuses to keep and report
the required record of such vaccination, or fails or
refuses to provide the required tag, or whoever obstructs
or interferes in any way with the enforcement of any
section of this article shall, upon conviction, be fined not
less than ten dollars nor more than fifty dollars, or be
confined in the county jail not less than ten days nor
more than sixty days, or both.


The enforcement of the provisions of this article shall
be in the hands of the sheriff of each county, any of his
deputies, constables, conservation commission officers,
commonly known as game wardens, and, if deemed
necessary, there shall be a special officer to be appointed
by the county commission, who is authorized, empo-
ered, and directed to inspect rabies, pick up dogs and
cats and dispose of dogs which are not taxable or not
vaccinated according to this article. The sheriff of each
county can have one or more sittings, if deemed
necessary, in each district of the county, at which he
shall be present or have present one of his deputies or
the special officer above provided for, to take charge of
all delinquent dogs and cats and homeless dogs and cats
that are not vaccinated. The assessor of each county, or
one of his deputies, shall accompany the veterinarian,
doctor, or the one who administers the vaccine in these
sittings for the purpose of collecting taxes on dogs. All
dogs which are not vaccinated and for which taxes are
unpaid shall become the responsibility of the sheriff to
catch and dispose of as is provided by law.

§19-20A-8. Vaccinated dogs and cats may run at large;
confine ment may be required.

Dogs or cats vaccinated in compliance with the
provisions of this article may run at large in any area
or locality, subject to any quarantine established by the
commissioner of agriculture pursuant to article nine of
this chapter, but the commissioner may, in his discre-
tion, require all such vaccinated dogs and cats, as well
as dogs and cats not vaccinated, within the limits of any
such quarantined area or locality to be confined as
provided in said article nine.
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 of the House of Delegates

The within ...................... this the 30th day of ................., 1987.

Governor
PRESENTED TO THE GOVERNOR

Date 3/25/57

Time 4:46 p.m.