

No: 2399

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987



ENROLLED

HOUSE BILL No. 2399

(By Delegate Love)



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
2 vaccination procedure for dogs and cats and to check the
3 spread of rabies for the immediate preservation of life,
4 health and safety for the reason that rabies is spreading
5 among dogs and cats, and becoming a menace and
6 danger to people, livestock, poultry and game, and the
7 provisions herein are designated to prevent the spread
8 of rabies.

§19-20A-2. Vaccination of dogs and cats.

1 Whoever owns, keeps or harbors a dog or cat within
2 the boundaries of any county in the state of West
3 Virginia shall, on or before the first day of June, one
4 thousand nine hundred eighty-seven, have such dog or
5 cat properly vaccinated or immunized against rabies
6 with a vaccine capable of producing immunity for two
7 years and shall every second year thereafter have such
8 dog or cat revaccinated with a vaccine capable of
9 producing immunity for two years. After the first day
10 of June, one thousand nine hundred eighty-seven,
11 whoever obtains an unvaccinated dog or cat shall at once
12 have such dog or cat properly vaccinated against rabies
13 with a vaccine capable of producing immunity for two
14 years and shall have such vaccination repeated every
15 second year with a vaccine capable of producing
16 immunity for two years: *Provided*, That dogs and cats
17 need not be vaccinated before the age of three months,
18 but must be vaccinated by the age of six months:
19 *Provided, however*, That dogs and cats entering the state
20 of West Virginia temporarily cannot be kept and
21 maintained within the state of West Virginia for a
22 period of more than thirty days unless properly vacci-
23 nated. Anyone owning a dog or cat can have them
24 vaccinated by any veterinarian or person working with
25 or under such veterinarian, or if there be no resident
26 veterinarian in the county, by such other qualified
27 person as may be appointed by the county commission,
28 who shall work under the supervision of the county
29 health department.

§19-20A-3. Vaccination record and report.

1 Whoever vaccinates or revaccinates a dog or cat
2 against rabies shall keep a record of such vaccination
3 or revaccination, and on or before the first day of each
4 calendar month thereafter, shall mail to or deliver to the
5 county clerk of the county where the vaccination takes
6 place a report of such vaccination or revaccination
7 which shall include a number identifying the individual
8 record of the dog or cat vaccinated, a complete descrip-
9 tion of the dog or cat, place where the dog or cat is kept
10 or harbored, name of the owner, keeper or harborer, his

11 or her address, date and type of vaccination or revac-
12 cination and such other information as may be required
13 by the county health department or the county commis-
14 sion over the signature of the person reporting.

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

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

§19-20A-6. Offenses and penalties.

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

§19-20A-7. Enforcement of article.

1 The enforcement of the provisions of this article shall
2 be in the hands of the sheriff of each county, any of his
3 deputies, constables, conservation commission officers,
4 commonly known as game wardens, and, if deemed

5 necessary, there shall be a special officer to be appointed
6 by the county commission, who is authorized, empow-
7 ered, and directed to inspect rabies, pick up dogs and
8 cats and dispose of dogs which are not taxable or not
9 vaccinated according to this article. The sheriff of each
10 county can have one or more sittings, if deemed
11 necessary, in each district of the county, at which he
12 shall be present or have present one of his deputies or
13 the special officer above provided for, to take charge of
14 all delinquent dogs and cats and homeless dogs and cats
15 that are not vaccinated. The assessor of each county, or
16 one of his deputies, shall accompany the veterinarian,
17 doctor, or the one who administers the vaccine in these
18 sittings for the purpose of collecting taxes on dogs. All
19 dogs which are not vaccinated and for which taxes are
20 unpaid shall become the responsibility of the sheriff to
21 catch and dispose of as is provided by law.

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

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

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

Bruce O. Williams
.....
Chairman Senate Committee

Lyle Satter
.....
Chairman House Committee
member

Originating in the House.

Takes effect ninety days from passage.

Todd C. Keller
.....
Clerk of the Senate

Donald K. Kopp
.....
Clerk of the House of Delegates

Ron Tombarino
.....
President of the Senate

W. B. Caldwell
.....
Speaker of the House of Delegates

The within *approved* this the *30th*
March
day of, 1987.

Arthur B. Shreve, Jr.
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/25/57

Time 4:42 p.m.

RECEIVED

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OFFICE OF THE
COMMISSIONER OF
REVENUE