

# 2888

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1988



# ENROLLED

*Com. Sub. for*  
**HOUSE BILL No. 2888**

(By ~~Mr.~~ *Delegate Pitrolo* )



Passed *March 12,* 1988

In Effect *Ninety Days from* Passage

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**H. B. 2888**  
(By DELEGATE PITROLO)

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[Passed March 12, 1988; in effect ninety days from passage.]

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AN ACT to amend and reenact section nineteen, article eight, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to making the administration of drugs to horses, mules, donkeys or ponies for the purpose of altering performance a misdemeanor; and providing criminal penalties.

*Be it enacted by the Legislature of West Virginia:*

That section nineteen, article eight, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 8. CRIMES AGAINST CHASTITY, MORALITY AND DECENCY.**

**§61-8-19. Cruelty to animals; pitting animals against each other in fight; penalties.**

1     (a) If any person shall cruelly, unnecessarily or  
2     needlessly beat, torture, torment, mutilate, kill, or  
3     overload, overdrive, or wilfully deprive of necessary  
4     sustenance, any horse or other domestic animal, whether  
5     such horse or other animal be his own or that of another  
6     person, or shall impound or confine any such animal in

7 any place and fail to supply the same with a sufficient  
8 quantity of good, wholesome food and water, or shall  
9 carry in or upon any vehicle, or otherwise, any such  
10 animal in a cruel or inhuman manner, or knowingly  
11 feed a cow on food that produces impure or unwhole-  
12 some milk, or shall abandon to die any maimed, sick,  
13 infirm or diseased animal, or shall be engaged in or  
14 employed at cockfighting, dogfighting, bearbaiting,  
15 pitting one animal to fight against another of the same  
16 or different kind, or any similar cruelty to animals, or  
17 shall receive money for the admission of any person, or  
18 shall knowingly purchase an admission, to any place  
19 kept for such purpose, or shall use, train or possess a  
20 dog or other animal for the purpose of seizing, detain-  
21 ing, or maltreating any other domestic animal, he shall  
22 be guilty of a misdemeanor, and, upon conviction, shall  
23 be fined not less than five nor more than one hundred  
24 dollars, and in the discretion of the court or magistrate,  
25 may be imprisoned in the county jail not exceeding six  
26 months.

27 (b) Any person who knowingly and willfully admin-  
28 isters or causes to be administered to any horse, mule,  
29 donkey or pony participating in any pulling contest any  
30 controlled substances or any other drug for the purpose  
31 of altering or otherwise affecting said animals' perfor-  
32 mance shall be guilty of a misdemeanor, and, upon  
33 conviction thereof, shall be fined not less than one  
34 hundred dollars nor more than one thousand dollars.

35 For the purpose of this section the term "controlled  
36 substance" shall have the same meaning ascribed to it  
37 by subsection (d), section one hundred one, article one,  
38 chapter sixty-a of this code.

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

*Bruce O. Williams*  
-----  
Chairman Senate Committee

*Bernard V. Kelly*  
-----  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*Todd C. Willis*  
-----  
Clerk of the Senate

*Donald G. Kopp*  
-----  
Clerk of the House of Delegates

*Don Tolson*  
-----  
President of the Senate

*[Signature]*  
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Speaker of the House of Delegates

The within *approved* this the *30th*  
*March*  
day of \_\_\_\_\_, 1988.

*Arch A. Shroyer*  
-----  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/23/88

Time 3:40 p.m.

RECEIVED

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE