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SB 612  
BS

FILED

2007 APR -4 PM 7: 37

OFFICE OF THE CLERK OF THE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
**SEVENTY-EIGHTH LEGISLATURE**  
**REGULAR SESSION, 2007**

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**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR

**Senate Bill No. 612**

(SENATORS FANNING, BOWMAN AND  
BARNES, *original sponsors*)

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[Passed March 10, 2007; in effect ninety days from passage.]

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AN ACT to amend and reenact §20-7-9 of the Code of West Virginia, 1931, as amended, relating to increasing the criminal penalties for violation of certain hunting and fishing laws by nonresidents.

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

That §20-7-9 of the Code of West Virginia, 1931, as amended,

be amended and reenacted to read as follows:

**ARTICLE 7. LAW ENFORCEMENT, MOTORBOATING, LITTER.**

**§20-7-9. Violations of chapter generally; penalties.**

1 Any person violating any of the provisions of this  
2 chapter or rules promulgated under the provisions of  
3 this chapter, the punishment for which is not  
4 prescribed, shall be guilty of a misdemeanor and, upon  
5 conviction thereof, shall for each offense be fined not  
6 less than twenty nor more than three hundred dollars or  
7 confined in jail not less than ten or more than one  
8 hundred days, or be both fined and imprisoned within  
9 the limitations aforesaid and, in the case of a violation  
10 by a corporation, every officer or agent thereof directing  
11 or engaging in such violation shall be guilty of a  
12 misdemeanor and, upon conviction thereof, shall be  
13 subject to the same penalties and punishment as herein  
14 provided: *Provided*, That any person violating  
15 subdivision three, section five, article two of this  
16 chapter shall be guilty of a misdemeanor and, upon  
17 conviction thereof, shall be fined not less than one  
18 hundred dollars nor more than five hundred dollars and  
19 shall be imprisoned for not less than ten days nor more  
20 than one hundred days: *Provided, however*, That any  
21 person who is in violation of section twenty-seven,  
22 article two of this chapter as a result of their failure to  
23 have a valid Class E nonresident hunting and trapping  
24 license, as defined by section forty-two-d of this article,  
25 or a valid Class EE nonresident bear hunting license, as  
26 defined by section forty-two-e of this article, shall be  
27 guilty of a misdemeanor and, upon conviction thereof,  
28 shall be fined not less than two hundred fifty dollars  
29 nor more than five hundred dollars or confined in jail  
30 not less than ten nor more than one hundred days, or

31 both fined and imprisoned: *Provided further*, That any  
32 person who is in violation of section twenty-seven,  
33 article two of this chapter as a result of their failure to  
34 have a Class F nonresident fishing license, as defined by  
35 section forty-two-f of this article, shall be guilty of a  
36 misdemeanor and, upon conviction thereof, fined not  
37 less than one hundred dollars nor more than three  
38 hundred dollars or confined in jail not less than ten nor  
39 more than one hundred days, or both fined and  
40 imprisoned: *And provided further*, That any person  
41 violating any parking or speeding regulations as  
42 promulgated by the director on any state parks, state  
43 forests, public hunting and fishing areas and all other  
44 lands and waters owned, leased or under the control of  
45 the Division of Natural Resources shall be guilty of a  
46 misdemeanor and, upon conviction thereof, shall be  
47 fined not less than two nor more than one hundred  
48 dollars or imprisoned in jail not more than ten days, or  
49 both fined and imprisoned.

Enr. Com. Sub. for S. B. No. 612] 4

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

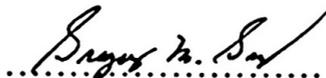
  
.....  
Chairman Senate Committee

  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

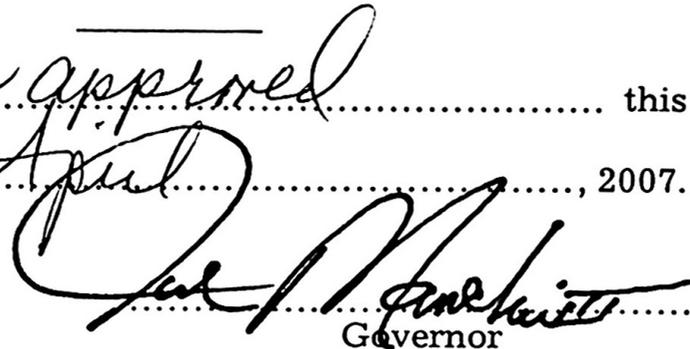
  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
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President of the Senate

  
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Speaker House of Delegates

The within is approved ..... this  
the 4<sup>th</sup> Day of April ....., 2007.

  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

APR 02 2007

Time 3:35 pm