

WEST VIRGINIA LEGISLATURE

FILED
2016 MAR 24 P 2:54
OFFICE WEST VIRGINIA
SECRETARY OF STATE

2016 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4673

(BY DELEGATES ANDERSON, KELLY, BORDER, A. EVANS,

PHILLIPS, WAGNER, TRECOST, R. SMITH, SHAFFER,

IRELAND AND MILLER)

[Passed March 12, 2016; in effect ninety days from passage.]

HB 4673

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[Passed March 12, 2016; in effect ninety days from passage.]

1 AN ACT to amend and reenact §19-2H-11 of the Code of West Virginia, 1931, as amended,
2 relating to captive cervid; establishing a misdemeanor penalty to kill, injure, or take captive
3 cervid; and setting forth fines and restitution.

Be it enacted by the Legislature of West Virginia:

1 That §19-2H-11 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted, to read as follows:

ARTICLE 2H. CAPTIVE CERVID FARMING ACT.

§19-2H-11. Prohibited conduct; criminal penalties.

1 (a) A person may not release or permit the release of any captive cervids from a captive
2 cervid farming facility.

3 (b) A person may not cause the entry or introduction of wild cervids into a captive cervid
4 farming facility.

5 (c) An owner may not cease operation of or abandon a captive cervid farming facility
6 without complying with the requirements and rules promulgated under this article.

7 (d) Any person who violates subsection (a) or (b) of this section is guilty of a misdemeanor
8 and, upon conviction thereof, shall be confined in jail for not more than ninety days, or fined not
9 more than \$300, or both fined and confined for a first offense. Any person who violates subsection
10 (a) or (b) of this section for a second or subsequent offense is guilty of a misdemeanor and, upon
11 conviction thereof, shall be confined in jail for not more than one year, or fined not more than
12 \$1,000, or both fined and confined.


13 (e) Any person who intentionally or knowingly violates subsection (a), (b) or (c) of this
14 section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional
15 facility not less than one nor more than three years, or fined not more than \$1,000, or both fined
16 and imprisoned.

17 (f) A person may not kill, injure, or take any captive cervid that is the property of another.
18 A person who violates this subsection is guilty of a misdemeanor and, upon conviction thereof,

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19 may be fined not more than \$500 and pay restitution pursuant to sections four and five, article
20 eleven-a, chapter sixty-one of this code.

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


.....
Chairman, House Committee


.....
Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.


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Clerk of the House of Delegates


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Clerk of the Senate


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Speaker of the House of Delegates


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President of the Senate

The within is approved this the 24th
day of March, 2016.


.....
Governor

PRESENTED TO THE GOVERNOR

MAR 23 2013

Time 2:05 pm