

# WEST VIRGINIA LEGISLATURE

## 2018 REGULAR SESSION

**Enrolled**

**Committee Substitute**

**for**

**Senate Bill 397**

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

2018 MAR 27 P 3:01

FILED

SENATORS SYPOLT, FACEMIRE, ROMANO, AND CLINE,

*original sponsors*

[Passed March 5, 2018; in effect 90 days from passage]

SB 397

# WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

**Enrolled**  
**Committee Substitute**  
**for**  
**Senate Bill 397**

SENATORS SYPOLT, FACEMIRE, ROMANO, AND CLINE,

*original sponsors*

[Passed March 5, 2018; in effect 90 days from passage]

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

2018 MAR 27 P 3:01

FILED

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §5-15-9, relating to making it a misdemeanor to impersonate a person who is  
3 blind or disabled; making it a misdemeanor for a person to fraudulently represent himself  
4 or herself to be the owner or trainer of a service animal; and establishing penalties.

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

**ARTICLE 15. WHITE CANE LAW.**

**§5-15-9. Fraudulent representation; penalties.**

1 (a) Any person who falsely represents to another that he or she is a person who is blind  
2 or a person with a disability with the intent to obtain any right or privilege protected by the  
3 provisions of §5-15-4 of this code is guilty of a misdemeanor and upon conviction thereof shall be  
4 fined not more than \$200 or confined in jail for not more than 10 days, or both fined and confined.

5 (b) Any person who falsely represents that an animal is a service animal in order to obtain  
6 any right or privilege protected by the provisions of §5-15-4 of this code is guilty of a misdemeanor  
7 and, upon conviction, shall be fined not more than \$200 or confined in jail for not more than 10  
8 days, or both fined and confined.

9 (c) Notwithstanding the penalty provisions of §5-15-9(a) or §5-15-9(b) of this code, any  
10 person convicted of a second or subsequent violation of §5-15-9(a) or §5-15-9(b) of this code  
11 shall be fined not more than \$1,000 or confined in jail for not more than 30 days, or both fined and  
12 confined.

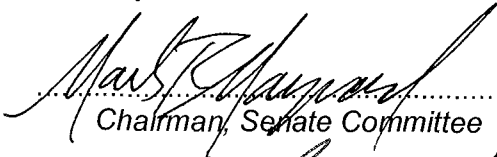
13 (d) A right or privilege protected by the provisions of §5-15-4 of this code includes but is  
14 not limited to use of a service animal for assistance purposes.

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

FILED

2018 MAR 27 P 3:01

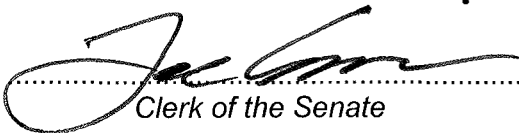
OFFICE WEST VIRGINIA  
SECRETARY OF STATE

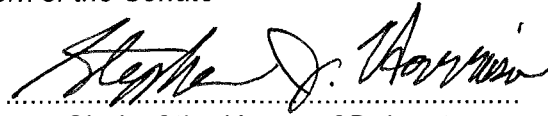
  
.....  
Chairman, Senate Committee


  
.....  
Chairman, House Committee

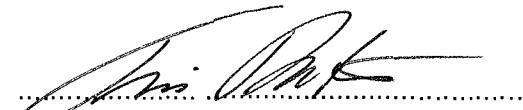
Originated in the Senate.

In effect 90 days from passage.

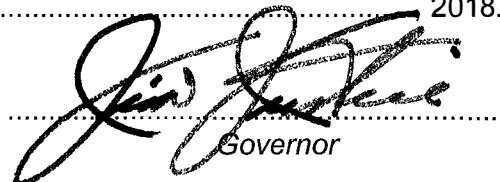
  
.....  
Clerk of the Senate

  
.....  
Clerk of the House of Delegates

  
.....  
President of the Senate

  
.....  
Speaker of the House of Delegates

The within is approved..... this the 27<sup>th</sup>  
Day of March..... 2018.

  
.....  
Governor

Time 2:00 pm