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]
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Committee Substitute

for

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[Passed March 5, 2018; in effect 90 days from passage]
AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-15-9, relating to making it a misdemeanor to impersonate a person who is blind or disabled; making it a misdemeanor for a person to fraudulently represent himself 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.


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

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

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

(d) A right or privilege protected by the provisions of §5-15-4 of this code includes but is not limited to use of a service animal for assistance purposes.
Enr. CS for SB 397

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 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 27th Day of March 2018.

Governor
PRESENTED TO THE GOVERNOR

Time 2:00 p.m.