

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4251

**FISCAL
NOTE**

BY DELEGATES ESPINOSA AND UPSON

[Introduced January 25, 2016; Referred
to the Committee on the Judiciary.]

1 A BILL to amend and reenact §61-8-19a of the Code of West Virginia, 1931, as amended, relating
2 to increasing the criminal penalties for participating in an animal fighting venture.

Be it enacted by the Legislature of West Virginia:

1 That §61-8-19a of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 8. CRIMES AGAINST CHASTITY, MORALITY AND DECENCY.

§61-8-19a. Animal fighting ventures prohibited.

1 (a) It is unlawful for any person to engage in, be employed at, or sell an admission to any
2 animal fighting venture.

3 (b) Any person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony
4 and, upon conviction thereof, shall be fined not less than ~~\$100~~ \$1,000 and not more than ~~\$1,000~~
5 \$25,000, or ~~confined in the county jail~~ imprisoned in a state correctional facility not ~~exceeding~~ less
6 than one year, nor more than ten years or both so fined and ~~confined~~ imprisoned and may be
7 divested of ownership and control of such animals, and be liable for all costs for their care and
8 maintenance: *Provided*, That if the animal is a wild animal, game animal or fur-bearing animal,
9 as defined in section two, article one, chapter twenty of this code, or wildlife not indigenous to
10 West Virginia, or of a canine, feline, porcine, bovine, or equine species whether wild or
11 domesticated, the person who violates the provisions of this section is guilty of a felony and, upon
12 conviction thereof, shall be fined not less than ~~\$1,000~~ \$25,000 and not more than ~~\$5,000~~ \$50,000,
13 and imprisoned in a state correctional facility for not less than ~~one~~ five nor more than ~~five~~ fifteen
14 years, or both fined and imprisoned.

NOTE: The purpose of this bill is to increase the penalties for participating in an animal fighting venture.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.