

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4673

FISCAL
NOTE

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

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

IRELAND AND MILLER

[Introduced February 22, 2016; Referred

to the Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931 as amended, by adding thereto a new section,
 2 designated §20-2-7a, relating to providing for a crime for the theft, damage or release of
 3 deer from private game farms; providing a criminal penalty; and providing for restitution to
 4 be paid to the victimized private game farm owner.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated section §20-2-7a, to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

**§20-2-7a. Theft, infliction of injury or release of deer from private game farm prohibited;
 penalty and restitution.**

1 (a) It is unlawful for any person to steal, intentionally injure, release or allow any deer to
 2 escape from a private game farm.

3 (b) Any person who steals, intentionally damages, releases or allows any deer to escape
 4 from a private game farm for which that person has no possessory interest is guilty of a
 5 misdemeanor and, upon conviction therefore may be fined up to \$500.

6 (c) Restitution of the value of the deer stolen, injured, released or allowed to escape shall
 7 be required upon conviction pursuant to sections four and five, article eleven-a, chapter sixty-one
 8 of the code: *Provided*, That the owner, lessee or other person entitled to possession of a private
 9 game farm who has be victimized by a violation of this section may be awarded restitution from
 10 any person convicted under this section up to three times the value of the deer that was stolen,
 11 intentionally injured, released or allowed to escape.

NOTE: The purpose of this bill is to provide for a crime for the theft, damage or release of deer from private game farms. The bill makes the crime a misdemeanor; and provides for a criminal penalty and restitution to be paid to the victimized private game farm owner.

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