

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2052

**FISCAL
NOTE**

BY DELEGATE RODIGHIERO

[Introduced February 8, 2017; Referred
to the Committee on Agriculture and Natural
Resources then the Judiciary.]

1 A BILL to amend and reenact §20-2-2 of the Code of West Virginia, 1931, as amended, relating
 2 to increasing criminal penalties for the illegal killing, taking, or possessing of certain
 3 wildlife.

Be it enacted by the Legislature of West Virginia:

1 That §20-2-2 of the Code of West Virginia, 1931, as amended, be amended and reenacted
 2 to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-2. Violations of article.

1 (a) When no specific punishment or penalty is ~~otherwise~~ provided for violations of the
 2 provisions of this article, ~~any a~~ person violating any ~~provision hereof shall be~~ of these provisions
 3 is guilty of a misdemeanor offense and, upon conviction, thereof, ~~shall be~~ is subject to the
 4 punishment and penalties prescribed in section nine, article seven of this chapter.

5 (b) Notwithstanding subsection (a) of this section, any person violating subdivision two,
 6 four, six, seven, eight, thirteen, sixteen, eighteen, nineteen, twenty-two, twenty-three or twenty-
 7 seven, section five of this article is guilty of a criminal offense as follows:

8 (A) First offense. -- Guilty of a misdemeanor and, upon conviction, is punishable by a fine
 9 of not less than \$500 and no more than \$1,000 and confined in jail for not less than ten days nor
 10 more than one hundred days;

11 (B) Second or subsequent offense. -- Guilty of a felony and, upon conviction, is punishable
 12 by a fine of not less than \$1,000 and not more than \$5,000 and imprisoned in a state correctional
 13 facility for not less than one year and no more than five years.

NOTE: The purpose of this bill is to increase criminal penalties for the illegal killing, taking or possessing of certain wildlife.

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