

SB 156

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

96 MAR 28 PM 4: 25

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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1996



ENROLLED

COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 156

(By Senators WHITLOW & BAILEY)



PASSED MARCH 9, 1996
In Effect NINETY DAYS FROM Passage

RECEIVED

96 MAR 28 PM 4: 25

OFFICE OF THE CLERK
SENATE OF WEST VIRGINIA

ENROLLED

COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 156

(SENATORS WHITLOW AND BAILEY, *original sponsors*)

[Passed March 9, 1996; in effect ninety days from passage.]

AN ACT to amend and reenact section thirty-five, article three, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to prohibiting persons from digging cultivated ginseng on lands of another without the owner's consent; land must be posted; and penalties.

Be it enacted by the Legislature of West Virginia:

That section thirty-five, article three, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 3. CRIMES AGAINST PROPERTY.

§61-3-35. Digging cultivated ginseng; penalty.

- 1 It shall be unlawful for any person to dig cultivated
- 2 ginseng or prospect for the same, on the lands of another

1 It shall be unlawful for any person to dig cultivated
2 ginseng or prospect for the same, on the lands of another
3 without the consent of the owner or owners thereof first
4 obtained. The property must be properly posted with
5 "No Trespassing" signs, "Private Property" signs, or
6 other signs that explain to a person to stay off the
7 property. The signs must be of reasonable size to be read
8 by an average person and must be posted at reasonable
9 intervals of at least two hundred feet around the prop-
10 erty.

11 Any person violating this section shall be guilty of a
12 misdemeanor, and, upon conviction thereof, shall be
13 fined not less than one hundred dollars.

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

Vandy Schoonaver
.....
Chairman Senate Committee

Vandy Seaint
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Paul W. Rife
.....
Clerk of the Senate

Gregory W. Boy
.....
Clerk of the House of Delegates

Earl Ray Tomblin
.....
President of the Senate

Paul E. Cadden
.....
Speaker House of Delegates

The within *is approved* this the *28th*
day of *March*, 1996.

Garston Caprior
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/22/96

Time 2:50 pm