

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2002



ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 4310

(By Delegates Mahan and Campbell)



Passed March 9, 2002

In Effect Ninety Days from Passage

FILED

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COMMITTEE SUBSTITUTE

FOR

H. B. 4310

(BY DELEGATES MAHAN AND CAMPBELL)

[Passed March 9, 2002; in effect ninety days from passage.]

AN ACT to amend and reenact section six, article three, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to increasing the penalties for discarding lighted material or for failing to totally extinguish a fire built in or adjacent to a field, a public or private road or forest land, and allowing the state fire marshal to enforce this section.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 3. FORESTS AND WILDLIFE AREAS.

§20-3-6. Failure of person to extinguish fire started or used by him or her; throwing lighted material on forest land; enforcement by state fire marshal; penalties.

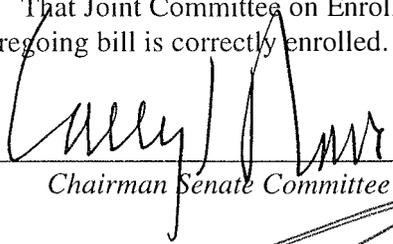
1 (a) Any person who, by himself or herself, or by his or her
2 employees, agents or guides, or as an employee, agent or guide
3 of any other person, shall at any time build or use any fire in
4 any field, in any public or private road, or in any area adjacent
5 to or in any forest land in this state, shall, before leaving the fire
6 for any period of time, totally extinguish the same.

7 (b) A person shall not at any time throw or place any
8 lighted match, cigar, cigarette, firecracker or lighted material on
9 any forest land, private road, public highway or railroad right-
10 of-way within this state.

11 (c) In addition to any other law-enforcement agencies that
12 have jurisdiction over criminal violations, the state fire marshal
13 shall enforce this section as provided in section twelve, article
14 three, chapter twenty-nine of this code.

15 (d) Any person who violates any provision of this section
16 shall be guilty of a misdemeanor and, upon conviction thereof,
17 shall be subject to one or more of the following penalties: (1)
18 Fined not less than one hundred dollars nor more than two
19 thousand dollars; (2) confined in the county or regional jail not
20 less than ten days nor more than two hundred days; or (3)
21 sentenced to perform community service by cleaning up litter
22 from any public highway, road, street, alley or any other public
23 park or public property or waters of the state, as designated by
24 the court, for not less than thirty-two hours nor more than sixty-
25 four hours.

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



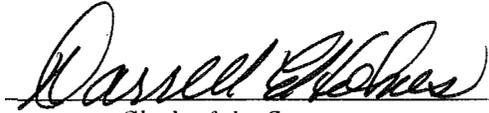
Chairman Senate Committee



Chairman House Committee

Originating in the House.

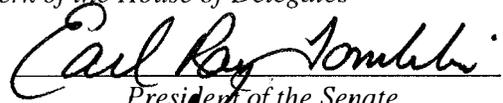
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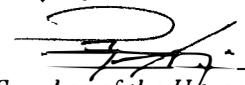
Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker of the House of Delegates

The within is approved this the 2nd
day of April, 2002.



Governor

DATE: 11/10/12

TIME: 10:10am

BY: [Signature]

10:10am