

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

## **House Bill 2966**

BY DELEGATE HAMRICK

[Introduced March 08, 2021; Referred to the  
Committee on Political Subdivisions then the  
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §19-20-23a, relating to making it unlawful to trap and kill feral cats; setting  
3 forth definitions; providing criminal penalties; and providing exceptions.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 20. DOGS AND CATS.**

### **§19-20-23a. Unlawful to trap and kill feral cats; TNR activities.**

1 (a) As used in this section:

2 (A) "Feral cat" means an outdoor, free-roaming cat that is unowned, lost, or abandoned  
3 and whose owner, if any, cannot be ascertained from a tag, license, collar, tattoo, or other visible  
4 form of identification;

5 (B) "Trap, neuter, and return activity" or "TNR activity" means the humane, temporary  
6 capture of a feral cat in order to sterilize it or address an urgent health problem, followed by the  
7 release of the cat to the site of its capture; and

8 (C) "Trap, neuter, and return participant" or "TNR participant" means a person or  
9 organization, including an animal hospital, animal clinic, releasing agency, or boarding  
10 establishment, engaged in a TNR activity.

11 (b) Notwithstanding any other provision in this article, no person or entity shall trap and kill  
12 a feral cat.

13 (c) Any person or entity that violates this section is guilty of a misdemeanor and, upon  
14 conviction thereof, shall be fined not less than \$450 nor more than \$2,000, or imprisoned in jail  
15 not more than 30 days, or both fined and imprisoned. Magistrates shall have concurrent  
16 jurisdiction with the circuit courts to enforce the penalties prescribed by this section.

17 (d) Nothing in this section shall be construed to prohibit the capture and release of a feral  
18 cat by a TNR participant as part of a TNR activity as defined in subsection (a).

19 (e) No person who feeds a feral cat is a foster care provider for or owner of the feral cat.

20 (f) The release of a feral cat by a TNR participant does not constitute abandonment or

21 dumping of the feral cat under this article.

NOTE: The purpose of this bill is to make it unlawful to trap and kill a feral cat. The bill provides definitions for "feral cat", "TNR activity", and "TNR participant", and sets forth criminal penalties and exceptions.

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