2 3 (By Delegate Rodighiero) [Introduced January 13, 2011; referred to the 4 5 Committee on Natural Resources then the Judiciary.] 6 7 8 9 10 A BILL to amend and reenact \$20-2-2 of the Code of West Virginia, 11 1931, as amended, relating to increasing criminal penalties for the illegal killing, taking, or possessing of certain wild 12 13 life. 14 Be it enacted by the Legislature of West Virginia: That \$20-2-2 of the Code of West Virginia, 1931, as amended, 15 16 be amended and reenacted to read as follows: 17 ARTICLE 2. WILDLIFE RESOURCES. 18 §20-2-2. Violations of article. 19 (a) When no specific punishment or penalty is otherwise 20 provided for violations of the provisions of this article, any a 21 person violating any provision hereof shall be of these provisions 22 is guilty of a misdemeanor offense and, upon conviction, thereof, 23 shall be is subject to the punishment and penalties prescribed in 24 section nine, article seven of this chapter.

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- 1 (b) Notwithstanding the foregoing, any person violating
- 2 subdivisions (2), (4), (5), (6), (7), (12), (14), (15), (17), (18),
- 3 (21), (22) and (26) of section five of this article is quilty of a
- 4 criminal offense as follows:
- 5 (A) First offense. -- Guilty of a misdemeanor and, upon
- 6 conviction, is punishable by a fine of not less than \$500 and no
- 7 more than \$1,000 and confined in jail for not less than ten days
- 8 nor more than one hundred days;
- 9 (B) Second or subsequent offense. -- Guilty of a felony and,
- 10 upon conviction, is punishable by a fine of not less than \$1,000
- 11 and not more than \$5,000 and imprisoned in a state correctional
- 12 <u>facility for not less than one year and no more than five years.</u>

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 the present law and underscoring indicates new language that would be added.