

1 ENGROSSED

2 COMMITTEE SUBSTITUTE

3 FOR

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5 FOR

6 **Senate Bill No. 353**

7 (By Senators Williams, Beach, D. Hall, Miller, Sypolt, Stollings,  
8 Tucker and Plymale)

9 \_\_\_\_\_  
10 [Originating in the Committee on the Judiciary;  
11 reported January 31, 2014.]

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15 A BILL to amend the Code of West Virginia, 1931, as amended, by  
16 adding thereto a new section, designated §19-1A-3b, relating  
17 to creating the offense of timber theft from state forests;  
18 providing the Division of Forestry authority to investigate  
19 and enforce timber theft violations in state forests for  
20 research and investigative purposes; directing the Division of  
21 Forestry to create and maintain a central registry of  
22 information relating to timber theft from state forests;  
23 clarifying that treble damages are applicable to state forest  
24 timber thefts; and setting forth criminal and civil penalties.



1 of \$25,000 or less is guilty of a misdemeanor and shall be fined  
2 not more than \$5,000 or confined in jail for not more than one  
3 year, or both. A person who commits timber theft in a state forest  
4 where the timber taken is of a value of \$25,000 or more is guilty  
5 of a felony and shall be fined not more than \$10,000 or imprisoned  
6 in a state correctional facility for not more than five years, or  
7 both. In addition to any fines and costs that may be assessed by  
8 the court, a person convicted of a violation of this section shall  
9 be ordered to pay a \$500 civil penalty to the division within sixty  
10 days of the entry of a final order of conviction. The civil penalty  
11 shall be collected by the court in which the person is convicted  
12 and forwarded to the State Treasurer for deposit in the Division of  
13 Forestry Fund (3081) for use in administering the provisions of  
14 this section.