

**H. B. 2175**

(By Delegate Rodighiero)

[Introduced January 21, 2015; referred to the

Committee on Agriculture and Natural Resources then the Judiciary.]

**FISCAL  
NOTE**

A BILL to amend and reenact §20-2-2 of the Code of West Virginia, 1931, as amended, relating to increasing criminal penalties for the illegal killing, taking, or possessing of certain wildlife.

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

That §20-2-2 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 2. WILDLIFE RESOURCES.**

**§20-2-2. Violations of article.**

(a) When no specific punishment or penalty is otherwise provided for violations of the provisions of this article, ~~any~~ a person violating any ~~provision hereof shall be~~ of these provisions ~~is~~ guilty of a misdemeanor offense and, upon conviction, thereof, ~~shall be~~ is subject to the punishment and penalties prescribed in section nine, article seven of this chapter.

(b) Notwithstanding subsection (a) of this section, any person violating subdivision (2), (4), (5), (6), (7), (12), (14), (15), (17), (18), (21), (22) or (26), section five of this article is guilty of a

1 criminal offense as follows:

2       (A) First offense. -- Guilty of a misdemeanor and, upon conviction, is punishable by a fine  
3 of not less than \$500 and no more than \$1,000 and confined in jail for not less than ten days nor  
4 more than one hundred days;

5       (B) Second or subsequent offense. -- Guilty of a felony and, upon conviction, is punishable  
6 by a fine of not less than \$1,000 and not more than \$5,000 and imprisoned in a state correctional  
7 facility for not less than one year and no more than five years.

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.