

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2783

By Delegates Chiarelli, Foster and Brooks

[Introduced January 18, 2023; Referred to the
Committee on Agriculture and Natural Resources
then Government Organization]

1 A BILL to amend and reenact §19-34-5 of the Code of West Virginia, 1931, as amended, relating to
 2 exempting primates from the Dangerous Wild Animal Board’s list of animals to be
 3 classified as dangerous wild animals.

Be it enacted by the Legislature of West Virginia:

ARTICLE 34. DANGEROUS WILD ANIMALS ACT.
§19-34-5. Dangerous Wild Animal Board; composition; duties.

1 (a) The Dangerous Wild Animal Board is hereby established with the following members:
 2 The Commissioner of the Department of Agriculture, the Secretary of the Department of Health
 3 and Human Resources and the Director of the Division of Natural Resources, or their designees.
 4 The board shall develop a comprehensive list of dangerous wild animals pursuant to the rule-
 5 making authority of this article.

6 (b) The Commissioner of Agriculture shall serve as the chair, the Secretary of the
 7 Department of Health and Human Resources as the vice chair and the Director of the Division of
 8 Natural Resources shall serve as the secretary of the board. The Department of Agriculture shall
 9 provide necessary staff and support services to the board as needed.

10 (c) The board shall:

11 (1) Establish minimum caging or enclosure requirements for various dangerous wild
 12 animals;

13 (2) Create a comprehensive list of dangerous wild animals, excluding wildlife, livestock and
 14 domestic animals as defined herein. The list may include, but not be limited to:

15 (A) Bears;

16 (B) Big cats;

17 (C) Canids;

18 ~~(D) Primates~~

19 ~~(E)~~ (D) Constrictor snakes greater than six feet, and venomous snakes; and

20 ~~(F)~~ (E) Alligators and caimans;

- 21 (3) Enforce the permit requirements and set the fees for permits;
- 22 (4) Issue, renew, revoke and maintain records for dangerous wild animal permits;
- 23 (5) Annually review the list of prohibited dangerous wild animals to determine if animals
- 24 should be added or subtracted from the list; and
- 25 (6) Address any other issues required by this article.

NOTE: The purpose of this bill is to exempt primates from the Dangerous Wild Animal Review Board's list of animals classified as dangerous wild animals.

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