

SB 96

FILED

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WEST VIRGINIA
LEGISLATURE
REGULAR SESSION, 2006

ENROLLED

SENATE BILL NO. 496

(By Senators BOWMAN AND PREZZOSO)

PASSED MARCH 11, 2006

In Effect 90 days from Passage

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

Senate Bill No. 496

(BY SENATORS BOWMAN AND PREZIOSO)

[Passed March 11, 2006; in effect ninety days from passage.]

AN ACT to amend and reenact §20-2-12 of the Code of West Virginia, 1931, as amended, relating to transportation of wildlife outside of the state; penalties; and allowing residents and nonresidents to take legally killed, taken or captured game out of the state.

Be it enacted by the Legislature of West Virginia:

That §20-2-12 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-12. Transportation of wildlife out of state; penalties.

- 1 (a) A person may not transport or have in his or her
- 2 possession with the intention of transporting beyond the
- 3 limits of the state any species of wildlife or any part
- 4 thereof killed, taken, captured or caught within this state,
- 5 except as provided for in this section.

6 (b) A person legally entitled to hunt and fish in this state
7 may take with him or her personally, when leaving the
8 state, any wildlife that he or she has lawfully taken or
9 killed, not exceeding, during the open season, the number
10 that any person may lawfully possess.

11 (c) This section does not apply to persons legally entitled
12 to propagate and sell wild animals, wild birds, fish,
13 amphibians and other forms of aquatic life.

14 (d) Licensed resident hunters and trappers and resident
15 and nonresident fur dealers may transport beyond the
16 limits of the state pelts of game and fur-bearing animals
17 taken during the legal season.

18 (e) The hide, head, antlers and feet of a legally killed
19 deer and the hide, head, skull, organs and feet of a legally
20 killed black bear may also be transported beyond the
21 limits of the state.

22 (f) The director shall have authority to promulgate rules
23 in accordance with chapter twenty-nine-a of this code
24 dealing with the transportation and tagging of wildlife
25 and the skins.

26 (g) A person violating the provisions of this section by
27 transporting or possessing with the intention of transport-
28 ing beyond the limits of this state deer or wild boar shall
29 be deemed to have committed a separate offense for each
30 animal so transported or possessed.

31 (h) A person violating the provisions of this section shall
32 be guilty of a misdemeanor and, upon conviction thereof,
33 shall be fined not less than twenty dollars nor more than
34 three hundred dollars and be imprisoned in jail not less
35 than ten nor more than sixty days.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chandy White
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Russell Albano
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

Carl R. Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this the *3rd*
Day of *April* , 2006.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

APR 03 2006

Time 2:15pm