

1 It shall be unlawful for any person to shoot or discharge any
2 firearms across or in any public road in this state, at any time,
3 or within ~~four~~ five hundred feet of any schoolhouse or church, or
4 within five hundred feet of any dwelling house, or on or near any
5 park or other place where persons gather for purposes of pleasure,
6 and any person violating this section is guilty of a misdemeanor:
7 Provided, That a resident of a dwelling house may shoot or
8 discharge a firearm in a lawful manner within five hundred feet of
9 that dwelling house in which the person lives if no other dwelling
10 house is located within five hundred feet of the person shooting:
11 Provided, however, That any person operating a gun repair shop,
12 licensed to do business in the State of West Virginia and duly
13 licensed under applicable federal statutes, may be exempted from
14 the prohibition established by this section and section twelve,
15 article seven, chapter sixty-one of this code for the purpose of
16 test firing a firearm. The director of the ~~department~~ Division of
17 Natural Resources shall prescribe such rules as may be necessary to
18 carry out the purposes of the exemption under this section and
19 section twelve, article seven, chapter sixty-one and shall ensure
20 that any person residing in any dwelling home within five hundred
21 feet of such gun repair shop be given an opportunity to protest the
22 granting of such exemption.

NOTE: The purpose of this bill is to provide an exception to allow a resident of a dwelling house to discharge a firearm in a lawful manner within five hundred feet of that dwelling house in which the person lives if no other dwelling house is located within five hundred feet of the person shooting. The bill also corrects an anomaly that allows a person to shoot a firearm at a closer distance to a school or church than to a dwelling house. This bill raises the distance for a school or church from 400 feet to 500 feet to bring it into conformity with the 500 feet shooting distance for dwelling houses.

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