

1 **H. B. 4330**

2  
3 (By Delegate Shott)

4 [Introduced January 24, 2014; referred to the  
5 Committee on Agriculture and Natural Resources then the  
6 Judiciary.]  
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10 A BILL to amend and reenact §20-2-8 of the Code of West Virginia,  
11 1931, as amended, relating to providing for the posting of  
12 unenclosed lands to prohibit hunting, trapping or fishing  
13 thereon by placing identifying paint marks on trees or posts  
14 at each road entrance and adjacent to public roadways and  
15 public waterways adjoining the property.

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

17 That §20-2-8 of the Code of West Virginia, 1931, as amended,  
18 be amended and reenacted to read as follows:

19 **ARTICLE 2. WILDLIFE RESOURCES.**

20 **§20-2-8. Posting unenclosed lands; hunting, etc., on posted land.**

21 (a) The owner, lessee or other person entitled to possession  
22 of unenclosed lands may ~~have erected and maintained~~ post the  
23 unenclosed lands so as to indicate the territory in which hunting,

1 trapping or fishing is prohibited by:

2       (1) Erecting and maintaining signs or placards legibly  
3 printed, easily discernible, conspicuously posted and reasonably  
4 spaced; ~~or so as to indicate the territory in which hunting,~~  
5 ~~trapping or fishing is prohibited~~

6       (2) Placing identifying paint marks on trees or posts along  
7 the boundaries of the property no more than three hundred feet  
8 apart and at each road entrance and adjacent to public roadways and  
9 public waterways adjoining the property. Each paint mark shall be  
10 a vertical line of at least two inches in width and at least eight  
11 inches in length and the center of the mark shall be no less than  
12 three feet nor more than six feet from the ground or normal water  
13 surface and shall be readily visible to any person approaching the  
14 property.

15       (b) Any person who enters upon the unenclosed lands of another  
16 which have been lawfully posted, for the purpose of hunting,  
17 trapping or fishing, shall be guilty of a misdemeanor. The  
18 officers charged with the enforcement of the provisions of this  
19 chapter shall have the duty to enforce the provisions of this  
20 section if requested to do so by such owner, lessee, person or  
21 agent, but not otherwise.

NOTE: The purpose of this bill is to provide for the posting  
of unenclosed lands to prohibit hunting, trapping or fishing

thereon by placing identifying paint marks on trees or posts at each road entrance and adjacent to public roadways and public waterways adjoining the property.

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