

H. B. 2017

(By Delegate Shott)

[Introduced January 14, 2015; referred to the

Committee on Agriculture and Natural Resources then the Judiciary.]

A BILL to amend and reenact §20-2-8 of the Code of West Virginia, 1931, as amended, relating to providing 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.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. WILDLIFE RESOURCES.

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

(a) The owner, lessee or other person entitled to possession of unenclosed lands may ~~have erected and maintained~~ post the unenclosed lands so as to indicate the territory in which hunting, trapping or fishing is prohibited by:

(1) Erecting and maintaining signs or placards legibly printed, easily discernible,

1 conspicuously posted and reasonably spaced; ~~or so as to indicate the territory in which hunting,~~
2 ~~trapping or fishing is prohibited~~

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

9 (b) Any person who enters upon the unenclosed lands of another which have been lawfully
10 posted, for the purpose of hunting, trapping or fishing, shall be guilty of a misdemeanor. The
11 officers charged with the enforcement of the provisions of this chapter shall have the duty to enforce
12 the provisions of this section if requested to do so by such owner, lessee, person or agent, but not
13 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.