

# **WEST VIRGINIA LEGISLATURE**

**2019 REGULAR SESSION**

**Introduced**

## **Senate Bill 517**

BY SENATORS SYPOLT AND BOSO

[Introduced February 4, 2019; Referred  
to the Committee on Natural Resources]

1 A BILL to amend and reenact §20-2-15 of the Code of West Virginia, 1931, as amended, relating  
 2 to allowing the owner or lessee of the lands on which damage to crops is done to sell a  
 3 crop damage permit.

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

**ARTICLE 2. WILDLIFE RESOURCES.**

**§20-2-15. Permit to kill deer or other wildlife causing damage to cultivated crops, trees, commercial nurseries, homeowners' shrubbery and vegetable gardens; weapon restrictions.**

1 (a) Whenever it is found that deer or other wildlife are causing damage to cultivated crops,  
 2 fruit trees, commercial nurseries, homeowners' trees, shrubbery or vegetable gardens, the owner  
 3 or lessee of the lands on which damage is done may report the finding to the natural resources  
 4 police officer or biologist of the county in which the lands are located or to the director. The director  
 5 shall then investigate the reported damage and if found substantial, shall issue a permit to the  
 6 owner or lessee to kill one or more deer or other wildlife in the manner prescribed by the director:  
 7 Provided, That the owner or lessee of the land may sell the permit to a person who would wish to  
 8 harvest the deer or other wildlife.

9 (b) In addition to the foregoing, the director shall establish procedures for the issuance of  
 10 permits or other authorization, including authorization of the owner or lessee of the land to sell  
 11 the permit, necessary to control deer or other wildlife causing property damage.

12 (c) All persons attempting to kill deer or other wildlife pursuant to this section are subject  
 13 to the same minimum caliber restrictions and other firearm restrictions and the same minimum  
 14 bow poundage and other bow and arrow restrictions that apply when hunting the same animal  
 15 species during the regular hunting seasons.

NOTE: The purpose of this bill is to allowing the owner or lessee of the lands on which damage to crops is done to sell a crop damage permit issued by DNR to someone else to harvest the deer or other wildlife causing the damage.

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