

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2709

BY DELEGATE ATKINSON, WORRELL, MCGEEHAN,
WESTFALL, MILLER, SWARTZMILLER, KESSINGER, CADLE,
COOPER AND BROWN, N.

(BY REQUEST OF THE WEST VIRGINIA DIVISION OF
NATURAL RESOURCES, DEPARTMENT OF COMMERCE)

[Introduced January 29, 2019; Referred
to the Committee on Agriculture and Natural
Resources then the Judiciary.]

1 A BILL to amend and reenact §20-2-27 of the Code of West Virginia, 1931, as amended, relating
2 to hunting licenses; and exempting the list of names, addresses and contact information
3 for license holders from public disclosure with certain exceptions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-27. Necessity for license.

1 (a) Except as otherwise provided by law, no resident who has reached his or her 15th
2 birthday and who has not reached his or her 65th birthday before January 1, 2012, and no
3 nonresident shall at any time take, hunt, pursue, trap for, kill or chase any wild animals, wild birds,
4 or fish for, take, kill or catch any fish, amphibians or aquatic life of any kind whatsoever in this
5 state without first having secured a license or permit and then only during the respective open
6 seasons, except that a nonresident who has not reached his or her 15th birthday may fish for,
7 take, kill or catch any fish, amphibians or aquatic life of any kind whatsoever in this state without
8 first having secured a license or permit. A person under the age of 15 years shall not hunt or
9 chase any wild animals or wild birds upon lands of another unless accompanied by a licensed
10 adult.

11 (b) A resident or nonresident member of any club, organization, or association or persons
12 owning or leasing a game preserve or fish preserve, plant, or pond in this state shall not hunt or
13 fish therein without first securing a license or permit as required by law: *Provided*, That resident
14 landowners or their resident children, or bona fide resident tenants of land, may, without a permit
15 or license, hunt and fish on their own land during open seasons in accordance with laws and rules
16 applying to such hunting and fishing unless the lands have been designated as a wildlife refuge
17 or preserve.

18 (c) Licenses and permits shall be of the kinds and classes set forth in this article and shall
19 be conditioned upon the payment of the fees established for the licenses and permits.

20 (d) The list of names, addresses and other contact information of all licensees compiled
21 and maintained by the division as a result of the sale and issuance of any resident or nonresident
22 licenses or stamps under this chapter is exempt from disclosure under the Freedom of Information
23 Act, §29B-1-1, et seq., of this code: *Provided*, That the records specified in this section shall be
24 available to all law-enforcement agencies and other governmental entities authorized to request
25 or receive such records.

NOTE: The purpose of this bill is to exempt the list of names, addresses and contact information for hunting license holders from public disclosure with certain exceptions.

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