

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 2578**

BY DELEGATE RODIGHIERO

[Introduced January 22, 2019; Referred  
to the Committee on Agriculture and Natural Resources  
then Finance.]

1 A BILL to amend and reenact §20-2-27 of the Code of West Virginia, 1931, as amended, relating  
 2 to allowing children in the custody of the state in any foster home, group home or other  
 3 facility or residence to hunt and fish without a license.

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

**ARTICLE 2. WILDLIFE RESOURCES.**

**§20-2-27. Necessity for license.**

1 (a) (1) Except as otherwise provided by law, no resident ~~who has reached his or her~~  
 2 ~~fifteenth birthday and who has not reached his or her sixty-fifth birthday before January 1, 2012~~  
 3 and no nonresident ~~shall~~ may at any time take, hunt, pursue, trap for, kill or chase any wild  
 4 animals, wild birds, or fish for, take, kill or catch any fish, amphibians or aquatic life of any kind  
 5 whatsoever in this state without first having secured a license or permit and then only during the  
 6 respective open seasons, except that a license is not required for these activities when conducted  
 7 by:

8 (A) A resident who has not reached his or her 15th birthday and who has not reached his  
 9 or her 65th birthday before January 1, 2012;

10 (B) A resident who has reached his or her 65th birthday before January 1, 2012; and

11 (C) A resident who has not reached his or her 18th birthday and is in custody of the state  
 12 in any foster home, group home or other facility or residence.

13 (2) A nonresident who has not reached his or her 15th birthday may fish for, take, kill or  
 14 catch any fish, amphibians or aquatic life of any kind whatsoever in this state without first having  
 15 secured a license or permit.

16 (3) A person under the age of 15 years ~~shall~~ may not hunt or chase any wild animals or  
 17 wild birds upon lands of another unless accompanied by a licensed adult.

18 (b) A resident or nonresident member of any club, organization or association or persons  
 19 owning or leasing a game preserve or fish preserve, plant or pond in this state shall not hunt or  
 20 fish therein without first securing a license or permit as required by law: *Provided*, That resident

21 landowners or their resident children, or bona fide resident tenants of land, may, without a permit  
22 or license, hunt and fish on their own land during open seasons in accordance with laws and rules  
23 applying to such hunting and fishing unless the lands have been designated as a wildlife refuge  
24 or preserve.

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

NOTE: The purpose of this bill is to allow children in the custody of the state in any foster home, group home or other facility or residence to hunt and fish without a license.

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