

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4065

BY DELEGATES BOOTH, SMITH, PHILLIPS, BARNHART,

WAMSLEY, WORRELL, HOWELL, DEAN, BRIDGES,

SUMMERS, AND PAYNTER

[Passed March 9, 2022; in effect ninety days from passage.]

1 AN ACT to amend and reenact §18-2-8a of the Code of West Virginia, 1931, as amended, relating
2 to a hunter safety orientation program in public schools; requiring program to be
3 established and implemented; establishing parameters for scheduling; directing the State
4 Board of Education to promulgate a rule for program requirements and implementation;
5 and providing minimum program requirements including parameters for when the program
6 is required to be offered.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-8a. Hunter safety orientation program.

1 (a) The Legislature finds that:

2 (1) Firearms and hunting are important parts of West Virginia's history, culture, and
3 economy;

4 (2) Unfortunately, the use of firearms while hunting or at any other time can be dangerous
5 when the firearms are not handled in a careful and safe manner; and

6 (3) Therefore, the opportunity of participating in a hunter safety orientation program should
7 be offered to students in certain grades.

8 (b) The State Board of Education shall establish and implement a program of instruction
9 of hunter safety orientation with appropriate classes and hands-on training. The hunter safety
10 orientation program may be scheduled for the regular hours of the school day, so as to work in
11 conjunction with the regular course schedule, or may be scheduled outside of the regular hours
12 of instruction for the school day, if the resources and student interest allow. To the extent possible,
13 the hunter safety orientation program shall be conducted at school facilities and scheduled so that
14 students attending the program class may also make use of regularly provided student
15 transportation.

16 (c) The State Board of Education shall, with the advice of the state Superintendent of
17 Schools and the Director of the Division of Natural Resources, promulgate a rule in accordance

18 with the provisions of §29A-3B-1 *et seq.* of this code for the implementation of a hunter safety
19 orientation program for use in the public schools of this state. The rule shall, at a minimum, include
20 the following provisions:

21 (1) The hunter safety orientation program shall be offered at least once every spring
22 semester in every middle school of the state. At the option of each county board of education, the
23 hunter safety orientation program may also be offered during the fall semester in any middle
24 school in the state or may be offered in any high school in the state: *Provided*, That the demand
25 to take the hunter safety orientation program is sufficient and that certified instructors are
26 available. If there is an insufficient number of students at a middle school requesting or registering
27 for the class in a given semester, the school shall not be required to conduct the class that
28 semester. The county board of education shall have the discretion to establish the minimum
29 number of students requesting the safety orientation program class in a semester necessary to
30 provide the class that semester.

31 (2) The hunter safety orientation program is voluntary to students;

32 (3) The hunter safety orientation program shall include instruction relating to:

33 (A) The protection of lives and property against loss or damage as a result of the improper
34 use of firearms; and

35 (B) The proper use of firearms in hunting, sport competition, and the care and safety of
36 firearms in the home;

37 (4) The hunter safety orientation program may use materials prepared by any national
38 nonprofit membership organization which has as one of its purposes the training of people in
39 marksmanship and the safe handling and use of firearms; and

40 (5) The hunter safety orientation program shall be conducted by an instructor employed
41 or certified by the Division of Natural Resources or who has other training necessary to conduct
42 the program as determined by the state board.

- 43 (d) The Division of Natural Resources shall issue a certificate of training, required by §20-
- 44 2-30a of this code, to any student who completes the hunter safety orientation program.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, House Committee

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Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

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Clerk of the House of Delegates

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Clerk of the Senate

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Speaker of the House of Delegates

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President of the Senate

The within this the.....
day of, 2022.

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Governor