

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

House Bill 4065

BY DELEGATES BOOTH, SMITH, PHILLIPS, BARNHART,

WAMSLEY, WORRELL, HOWELL, DEAN, BRIDGES,

SUMMERS, AND PAYNTER

[Introduced January 13, 2022; Referred to the Committee on Education]

1 A BILL 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 implemented; directing the State Board of Education to promulgate a rule for program
4 requirements and implementation; and providing minimum program requirements.

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 to be scheduled
10 outside the regular hours of instruction for the school day so as not to interfere or overlap with the
11 regular course schedule. To the extent possible, the hunter safety orientation program shall be
12 conducted at school facilities and scheduled so that students attending the program class may
13 also make use of regularly provided student transportation.

14 ~~(b)~~ (c) The State Board of Education shall, with the advice of the state Superintendent of
15 Schools and the Director of the Division of Natural Resources, promulgate a rule in accordance
16 with the provisions of §29A-3B-1 *et seq.* of this code for the implementation of a hunter safety
17 orientation program for use in the public schools of this state. The rule shall, at a minimum, include
18 at least the following provisions:

19 ~~(1) The hunter safety orientation program may be offered to students in any of the grade~~
20 ~~levels sixth through twelfth grades over a two week period during the school year as part of~~
21 ~~physical education classes, or as part of the general curriculum offered to students in any of these~~
22 ~~grade levels, or at the end of the school day~~ The hunter safety program shall be offered once per
23 school semester in every middle school of the state and, at the option of each county board of
24 education, also in high schools where demand is sufficient. If there is an insufficient number of
25 students at a middle school requesting or registering for the class in a given semester, the school
26 shall not be required to conduct the class that semester. The county board of education shall
27 have the discretion to establish the minimum number of students requesting the safety orientation
28 program class in a semester necessary to provide the class that semester.

29 (2) The hunter safety orientation program is voluntary to students ~~and any student may~~
30 ~~choose not to participate in the program. If a student chooses not to participate in the program,~~
31 ~~he or she shall participate in another education activity;~~

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 ~~(c) The county superintendent may implement the hunter safety orientation program in~~
44 ~~accordance with the rule required by this section in each school in the county that includes any of~~

45 ~~grades 6 through twelve at which, in the sole judgement of the superintendent, sufficient student~~
46 ~~interest in program enrollment justifies the program offering and an appropriately certified~~
47 ~~instructor is available~~

48 (d) The Division of Natural Resources shall issue a certificate of training, required by §20-
49 2-30a of this code, to any student who completes the hunter safety orientation program.