

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

House Bill 4441

BY DELEGATES HORST, SUMMERS, RILEY, ESPINOSA,
ROWAN, MAYNARD, YOUNG, SKAFF, PHILLIPS, DEAN AND
BRIDGES

[Originating in the Committee on Government
Organization; February 23, 2022]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §20-2-5k; and to amend said code by adding thereto a new section designated
3 §20-2-42aa, relating to air rifles and classifications; setting forth criteria for when an air
4 rifle may be used to hunt game in this state; setting caliber limits for air rifles when hunting
5 certain types of game; creating a Class M air rifle stamp; creating a Class MM air rifle
6 stamp; providing for when the stamp is applicable; and providing for when the stamp is
7 required.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-5k. Use of air rifles to hunt.

1 (a) Notwithstanding any other provision of this code to the contrary, any person lawfully
2 entitled to hunt may hunt with an air rifle during small game and big game firearms season:
3 Provided, That air rifles may only be used for deer hunting in counties open to firearm deer
4 hunting.

5 (b) An air rifle may not be substituted for a muzzleloader during any muzzleloader season
6 or during the Mountaineer Heritage season.

7 (c) No person may be afield with an air rifle and bow, or with an air rifle or any arrow at
8 the same time.

9 (d) No person may hunt with an air bow at any time.

10 (e) Any person hunting with an air rifle is subject to all other rifle and firearm hunting
11 regulations according to this chapter and rules promulgated thereunder.

12 (f) Only air rifles meeting the following specifications may be used for hunting big game:

13 (1) No person may hunt big game with an air rifle of less than .45 caliber and with a bullet
14 of less than 200 grains, except that wild turkey may be hunted with an air rifle of .22 caliber or
15 larger.

16 (2) No person may hunt small game with an air rifle of less than .22 caliber.

17 (g) Air rifles may be shot within 500 feet of a dwelling.

§20-2-42aa. Class M Resident and MM Non-Resident air rifle hunting stamp.

1 A Class M resident air rifle stamp and a Class MM nonresident air rifle stamp entitles the
2 licensee to hunt, as otherwise permitted by the provisions of this chapter, with an air rifle during
3 big game seasons in all counties of this state, except as prohibited by the rules of the director or
4 Natural Resources Commission and as established annually by the Director. The fee for a Class
5 M resident or Class MM nonresident stamp shall be \$8. These stamps require the licensee
6 purchase the appropriate base license before participating in the activities specified in this section,
7 except as noted.