

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4745

By Delegates Summers and Tully

[Introduced January 15, 2024; Referred
to the Committee on Agriculture and Natural
Resources then Government Organization]

1 A BILL to amend and reenact §20-2-47 of the Code of West Virginia, 1931, as amended all relating
 2 to exempting Coturnix quail from the game farm requirement if they are owned for
 3 agricultural purposes.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-47. License for private game farm for propagating animals and birds for commercial purposes.

1 (a) The director may issue a license for the operation of a private game preserve for
 2 propagation of wild animals and wild birds for commercial purposes. The license shall authorize
 3 the holder to breed or raise animals and birds as specified by the license, to sell the same dead or
 4 alive, or to sell the eggs of birds in accordance with regulations prescribed by the director.

5 (b) Application for a license under this section shall designate the property whereon the
 6 preserve is to be established. Before the license is issued, the director shall determine that the
 7 property is properly enclosed, that the provisions for housing and sanitation are proper and
 8 adequate, and that the safety of the public is protected.

9 (c) The annual license fee shall be \$10.

10 (d) For purposes of this section, domesticated poultry possessed for agricultural purposes
 11 are not considered wild birds and are not subject to the licensure requirements for a private game
 12 preserve. Any quail or partridge that will be released into the wild are not possessed for agricultural
 13 purposes and are not exempt from licensure requirements.

14 (1) As used in this section:

15 (A) Agricultural purposes means possessing domesticated poultry for the purpose of,
 16 including but not limited to, meat and egg production, propagation for meat and egg production,
 17 and sales for meat and egg production.

18 (B) Domesticated poultry means nonnative quail and partridge possessed for agricultural
 19 purposes.

NOTE: The purpose of this bill is to exempt quail and partridges possessed for agricultural purposes from the game preserve licensure requirement.

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