

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990



# ENROLLED

Com. Sub. for  
HOUSE BILL No. 4097

(By ~~the~~ Delegate Love )



Passed March 9, 1990

In Effect 90 Days from Passage

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**H. B. 4097**  
(By DELEGATE LOVE)

[Passed March 9, 1990; in effect ninety days from passage.]

AN ACT to amend and reenact section forty-b, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to Class A-1 small arms hunting licenses; allowing nonresident Class A-1 licenses; providing for a lifetime Class A-1 hunting license; requiring a fee for the issuance of a lifetime Class A-1 hunting license; and permitting clerks of county commissions to issue Class A-1 licenses.

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

That section forty-b, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 2. WILDLIFE RESOURCES.**

**§20-2-40b. Class A-1 small arms hunting license.**

1 Notwithstanding the provisions of section two, article  
2 seven, chapter sixty-one of this code, a Class A-1 license  
3 shall be a small arms hunting license. If a person is  
4 otherwise qualified, a Class A-1 license may be issued  
5 by the department, pursuant to rules and regulations  
6 promulgated by the director, which regulations shall

7 include provisions for the establishment of a voluntary  
8 program available to citizens of the state pertaining to  
9 safety and proficiency in the use of a revolver or pistol,  
10 to a person twenty-one years of age or older who holds  
11 a valid resident or nonresident hunting license, or to a  
12 person who is a resident and sixty-five years of age or  
13 older, but a Class A-1 license shall never be issued to  
14 a person who has been convicted of a misdemeanor in  
15 any way associated with the use of firearms or danger-  
16 ous weapons or who has been convicted of any felony.

17 A Class A-1 license shall entitle the licensee to hunt,  
18 as otherwise permitted by the provisions of this chapter,  
19 but only during small game and big game seasons as  
20 established annually by the director, with either a  
21 revolver or pistol which has a barrel at least four inches  
22 in length. A Class A-1 license shall entitle the licensee  
23 to carry or have in his possession one, and only one,  
24 revolver or pistol when going to and from his home or  
25 residence and a place of hunting and while hunting in  
26 the place: *Provided*, That such Class A-1 license shall not  
27 be valid unless the licensee have in his possession a valid  
28 resident or nonresident hunting license or to a person  
29 who is a resident and sixty-five years of age or older:  
30 *Provided, however*, That at all times, when not actually  
31 hunting, the revolver or pistol shall be unloaded.

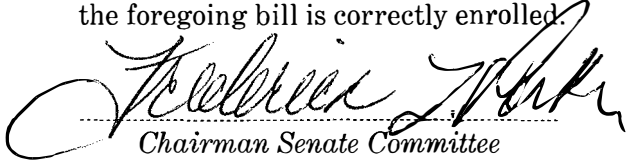
32 While hunting, the licensee shall carry the revolver or  
33 pistol outside of his person in an unconcealed and easily  
34 visible place. At all other times the revolver or pistol  
35 shall be cased or dismantled in a way to cause it not to  
36 operate. When being transported in a vehicle it shall be  
37 kept in a locked compartment of the vehicle which shall  
38 not be accessible from the inside of such vehicle.

39 The fee shall be five dollars for a Class A-1 license.  
40 All such fees collected shall be deposited in the state  
41 treasury and credited to the law-enforcement division of  
42 the department of natural resources. Such fees shall be  
43 paid out of the state treasury on order of the director  
44 and used solely for law-enforcement purposes.

45 For a fee of seventy-five dollars, a lifetime Class A-  
46 1 license may be issued to anyone otherwise qualified

47 and holding a valid Class A or Class AB license issued  
48 for a lifetime or to a person who is a resident and sixty-  
49 five years of age or older. All fees collected for the  
50 issuance of a lifetime Class A-1 license shall be deposited  
51 in the state treasury and credited to the law-enforce-  
52 ment division of the department of natural resources.  
53 The fees collected shall be paid out of the state treasury  
54 on order of the director and used solely for law-  
55 enforcement purposes: *Provided*, That upon conviction of  
56 a misdemeanor in any way associated with the use of  
57 firearms or dangerous weapons or conviction of any  
58 felony, a lifetime Class A-1 licensee shall immediately  
59 surrender said license to the Department of Natural  
60 Resources.

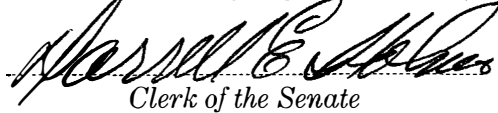
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

  
Chairman Senate Committee

  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

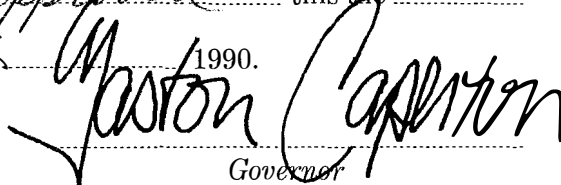
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the 18th  
day of March 1990.

  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3/27/90

Time 4:45pm

RECEIVED

1030 MAR 28 PM 4 35

OFFICE OF THE ATTORNEY  
GENERAL  
STATE OF TEXAS