

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 418

(By Mr. Booth)



PASSED March 14 1953

In Effect twenty days from Passage



418

**ENROLLED**

**House Bill No. 418**

(By MR. BOOTH)

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[Passed March 14, 1953; in effect ninety days from passage.]

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AN ACT to amend and reenact section three, article four, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, relating to the protection and hunting of deer and penalties for unlawful acts with respect thereto.

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

That section three, article four, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, be amended and reenacted as follows:

Section 3. *Hunting Deer; Report to Director; Tagging; Penalties.*—No person shall hunt, capture or kill any deer in this state, except in open season, or as provided under section three-b of this article. A licensed person may hunt or kill deer of any type, antlerless or otherwise, during the open season fixed by the conservation commis-

7 sion of West Virginia for the counties or parts thereof.  
8 Antlerless deer seasons may be established by the con-  
9 servation commission when deemed advisable due to  
10 over-population of deer, extreme crop damage, unbal-  
11 anced sex ratios, or other unusual conditions in various  
12 counties or parts thereof. The provisions of this section  
13 shall not apply to a licensed owner of deer which are kept  
14 in a park or field sufficiently enclosed to prevent escape  
15 therefrom, as provided by article three, section twelve-a  
16 of this chapter. No person shall:

17 (1) Kill more than one deer in any one calendar year;

18 (2) Have in his possession the fresh skin or any other  
19 part of an illegally killed doe, fawn or buck deer;

20 (3) Chase or hunt deer with dogs, or kill or attempt  
21 to kill a deer that is being chased by, or is fleeing from  
22 dogs;

23 (4) Attempt to catch or kill, or catch or kill any deer  
24 by means of poison baits, salt lick, (natural or artificial)  
25 trap or snare, or devices of any kind;

26 (5) Hunt, pursue, catch or kill a deer between sunset  
27 on one day and sunrise of the next day;

28 (6) Kill, attempt to kill or wound a deer while the  
29 deer is in a stream, lake or pond;

30 (7) Participate further in the hunt after having killed  
31 the legal limit of deer if he or she has firearms of any  
32 description in his or her possession;

33 (8) Hunt deer with a shot gun, using ammunition  
34 loaded with more than one-solid ball, or a rifle using rim  
35 fire ammunition of less than twenty-five calibre.

36 A person who kills or wounds a deer by accident, such  
37 as striking it with an automobile, or has knowledge that  
38 a deer is in distress for any reason whatever, shall  
39 promptly notify a conservation officer or other proper  
40 officer of the fact.

41 Any person who kills a legal deer during the open  
42 season shall deliver same for inspection and tagging to  
43 a conservation officer or an official checking station set  
44 up for that purpose by the commission during the open  
45 deer season. The deer shall not be dressed (other than  
46 hog-dressed) before it is presented to a conservation  
47 officer or official checking station for inspection; nor shall  
48 such deer be tagged unless the head is attached in a

49 natural way to the carcass of said deer, except as is other-  
50 wise provided in this section. The checking station at-  
51 tendant or conservation officer upon inspecting the deer  
52 shall supply the hunter with an official tag which shall  
53 be securely attached to the head of the deer before the  
54 deer is removed from said station. The official tag shall  
55 bear the name and address of the hunter and such other  
56 information as the director may designate and shall be  
57 countersigned by the checking station attendant or other  
58 duly authorized agent of the director. The official tag  
59 shall remain attached to the head of the deer until the  
60 animal is dressed, and thereafter with the head or skin  
61 until the close of the deer hunting season.

62 An exception to the above outlined tagging procedure  
63 is made in that one deer per hunting camp may be com-  
64 pletely dressed at camp for camp use, provided a deer  
65 camp use permit is affixed to the head as outlined above  
66 in this section before starting to skin the deer. The skin  
67 and head to which the deer camp use permit is attached  
68 shall be presented to either a conservation officer or to an  
69 official checking station to be tagged and inspected before

70 the close of the open deer season in which the kill was  
71 made.

72 The deer camp use permit shall bear the name and  
73 address of the hunter who killed the deer and such other  
74 information as the director may designate. Such permits  
75 may be obtained on application to the director or his  
76 authorized agent. The application for such permits shall  
77 give a roster showing the names and addresses of all  
78 licensed hunters who are to occupy the camp, the name  
79 and specific location of the camp, and the name of the  
80 county in which the camp is to be located.

81 Any person who violates any of the provisions of this  
82 section shall be guilty of a misdemeanor, and, upon con-  
83 viction, shall be fined not less than one hundred nor  
84 more than three hundred dollars, and may be confined in  
85 the county jail not less than thirty days: *Provided, how-*  
86 *ever,* That any person who kills a deer illegally during the  
87 open season thereafter, and volutarily reports same to a  
88 conservation officer or other officer, shall be fined not less  
89 than fifty dollars nor more than one hundred dollars.

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

H. M. Kinley  
Chairman Senate Committee

C. H. Ambler  
Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

Howard Dyer  
Clerk of the Senate

Edith  
Clerk of the House of Delegates

Ralph Bean  
President of the Senate

W. E. Hamner  
Speaker House of Delegates

The within approved this the 20th  
day of March, 1953.

William C. Marland  
Governor



FILED IN THE OFFICE OF THE SECRETARY OF STATE  
of West Virginia  
**MAR 20 1953**  
**D. PITT O'BRIEN,**  
SECRETARY OF STATE