WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1976

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ENROLLED
SENATE BILL NO. 531

(By Mr. (Signature))

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PASSED March 13, 1976

In Effect ninety days from Passage

IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 3/31/76
AN ACT to amend and reenact sections twelve and twenty-two, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to transportation of wildlife out of state; providing penalties; and requiring any deer killed by an arrow to be delivered to a conservation officer for checking.

Be it enacted by the Legislature of West Virginia:

That sections twelve and twenty-two, 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.

§20-2-12. Transportation of wildlife out of state; penalties.

1 No person shall at any time transport or have in his possession with the intention of transporting beyond the limits of the state, any species of wildlife or any part thereof killed, taken, captured or caught within this state: Provided, That a nonresident legally entitled to hunt and fish in this state may take with him personally, when leaving the state, any wildlife that he has lawfully taken or killed, not exceeding, during the open season, the number that any person may lawfully take or kill in any two days. This section shall not apply to persons legally entitled to propagate and sell wild animals, wild birds, fish, amphibians and other forms of aquatic life.
Any person violating the provisions of this section by transporting or possessing with the intention of transporting beyond the limits of this state, deer or wild boar, shall be deemed to have committed a separate offense for each animal so transported or possessed. Any person violating the provisions of this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty dollars nor more than three hundred dollars and be imprisoned in the county jail not less than ten nor more than sixty days.

§20-2-22. Tagging, removing, transporting and reporting deer and wild turkey.

Each person killing a deer or wild turkey found in a wild state shall immediately after removing the entrails, but in any event, within one hour, and before transporting or removing the carcass in any manner from where it was killed, complete and attach thereto the game tag supplied with his or her hunting license. The game tag shall remain on the carcass until it is dressed for consumption.

If such wild turkey or deer has been lawfully killed by a person not required to secure a license, or by a person who has previously killed another species of game bird or game animal for which a game tag is required, or by a person who has lost the tag supplied with his or her license, such person shall make and attach a tag to the carcass within the time specified after such killing. The tag shall bear in plain English, the name and address of the hunter, and the date of killing, or, if holding a license, the license number and the date and county where the game was killed.

The carcass of such wild turkey or deer shall be delivered to a conservation officer or an official checking station, unless such deer was killed with an arrow in which case the carcass of such deer shall be delivered to a conservation officer, for checking and retagging before it is either skinned or transported beyond the boundaries of the county adjacent to that in which the kill was made: Provided, however, That if no conservation officer can be located, the carcass of such deer shall be
delivered to a member of the department of public safety, the county sheriff or any of his deputies, for checking and retagging before it is either skinned or transported beyond the boundaries of the county adjacent to that in which the kill was made.

Every failure to have said tag or tags attached, or removing or transporting such animal in any manner, or failure to deliver the carcass to a conservation officer or other officer specified in this section or an official checking station for checking, as herein provided, shall subject the person so neglecting to the penalties provided in this article.

Any deer or wild turkey found and not tagged as herein provided shall be forfeited to the state of West Virginia to be disposed of as hereinafter provided and may be seized by any officer whose duty it is to enforce the game laws.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 29th day of March, 1976

Governor