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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1976



ENROLLED

SENATE BILL NO. 531

(By Mr. Carver)



PASSED March 13, 1976

In Effect sixty days from Passage



FILE IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 3/31/76

ENROLLED

Senate Bill No. 531

(By MR. GAINER)

[Passed March 13, 1976; in effect ninety days from passage.]

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
2 his possession with the intention of transporting be-
3 yond the limits of the state, any species of wildlife or
4 any part thereof killed, taken, captured or caught within
5 this state: *Provided*, That a nonresident legally entitled
6 to hunt and fish in this state may take with him per-
7 sonally, when leaving the state, any wildlife that he
8 has lawfully taken or killed, not exceeding, during
9 the open season, the number that any person may law-
10 fully take or kill in any two days. This section shall
11 not apply to persons legally entitled to propagate and
12 sell wild animals, wild birds, fish, amphibians and
13 other forms of aquatic life.

14 Any person violating the provisions of this section by
15 transporting or possessing with the intention of trans-
16 porting beyond the limits of this state, deer or wild boar,
17 shall be deemed to have committed a separate offense
18 for each animal so transported or possessed. Any per-
19 son violating the provisions of this section, shall be
20 guilty of a misdemeanor, and, upon conviction thereof,
21 shall be fined not less than twenty dollars nor more
22 than three hundred dollars and be imprisoned in the
23 county jail not less than ten nor more than sixty days.

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

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

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

19 The carcass of such wild turkey or deer shall be de-
20 livered to a conservation officer or an official checking
21 station, unless such deer was killed with an arrow in
22 which case the carcass of such deer shall be delivered to
23 a conservation officer, for checking and retagging before
24 it is either skinned or transported beyond the boundaries
25 of the county adjacent to that in which the kill was
26 made: *Provided, however,* That if no conservation of-
27 ficer can be located, the carcass of such deer shall be

28 delivered to a member of the department of public safety,
29 the county sheriff or any of his deputies, for checking
30 and retagging before it is either skinned or transported
31 beyond the boundaries of the county adjacent to that
32 in which the kill was made.

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

40 Any deer or wild turkey found and not tagged as
41 herein provided shall be forfeited to the state of West
42 Virginia to be disposed of as hereinafter provided and
43 may be seized by any officer whose duty it is to enforce
44 the game laws.

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

James L. Davis
Chairman Senate Committee

Clarence C. Chestnut
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

J. C. Keller, Jr.
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

W. J. [Signature]
President of the Senate

Levin F. M. [Signature]
Speaker House of Delegates

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

Richa. [Signature]
Governor



PRESENTED TO THE
GOVERNOR

Date 3/24/76

Time 3:45 p.m.