WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1985

ENROLLED
Committee Substitute for
SENATE BILL NO. 680

(By Mr. )

PASSED April 13, 1985
In Effect ninety days from Passage
AN ACT to amend and reenact section fifty-eight, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section twelve, article seven, chapter sixty-one of said code, all relating to allowing the operator of a gun repair shop to be exempt from the statutory prohibition, subject to rules and regulations prescribed by the director of the department of natural resources.

Be it enacted by the Legislature of West Virginia:

That section fifty-eight, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that section twelve, article seven, chapter sixty-one of said code, be amended and reenacted, all to read as follows:
CHAPTER 20. NATURAL RESOURCES.

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-58. Shooting across road or near building or crowd; penalty.

1 It shall be unlawful for any person to shoot or discharge any firearms across or in any public road in this state, at any time, or within four hundred feet of any schoolhouse or church, or within five hundred feet of any dwelling house, or on or near any park or other place where persons gather for purposes of pleasure, and any person violating this section is guilty of a misdemeanor:

Provided, That any person operating a gun repair shop, licensed to do business in the state of West Virginia and duly licensed under applicable federal statutes, may be exempted from the prohibition established by this section and section twelve, article seven, chapter sixty-one of this code for the purpose of test firing a firearm. The director of the department of natural resources shall prescribe such rules as may be necessary to carry out the purpose of the exemption under this section and section twelve, article seven, chapter sixty-one and shall ensure that any person residing in any dwelling home within five hundred feet of such gun repair shop be given an opportunity to protest the granting of such exemption.

CHAPTER 61. CRIMES AND THEIR PUNISHMENT.

ARTICLE 7. DANGEROUS WEAPONS.

§61-7-12. Shooting across road or near building or crowd; penalty.

1 It shall be unlawful for any person to shoot or discharge any firearms across or in any public road in this state, at any time, or within four hundred feet of any schoolhouse or church, or within five hundred feet of any dwelling house, or on or near any park or other place where persons gather for purposes of pleasure, and any person violating this section is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten nor more than one hundred dollars, or, be imprisoned in the county jail not more than one hundred days for
each offense: Provided, That any person operating a gun
repair shop, licensed to do business in the state of West
Virginia and duly licensed under applicable federal
statutes, may be exempted from the prohibition estab-
lished by this section and section fifty-eight, article two,
chapter twenty of this code for the purpose of test firing
a firearm. The director of the department of natural
resources shall prescribe such rules as may be necessary
to carry out the purposes of the exemption under this
section and section fifty-eight, article two, chapter
twenty, and shall ensure that any person residing in any
dwelling home within five hundred feet of such gun
repair shop be given an opportunity to protest the grant-
ing of such exemption.
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 bill is hereby approved this the 2nd day of May, 1985.

Governor
PRESENTED TO THE
GOVERNOR
Date 4/24/85
Time 2:53 P.M.