WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1989

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ENROLLED

HOUSE BILL No. 2192

(By Del. Love & Sowers)

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Passed April 7, 1989

In Effect Ninety Days from Passage
AN ACT to amend article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirty-a, relating to prohibiting the issuance of a hunting license to persons unless the person submits a certificate of training, another state's certificate of training or a statement that the person has previously held a hunting license; establishing a course in firearm and bow and arrow safety; providing for a certificate of training to be issued upon completion thereof; and providing credit toward license reinstatement.

Be it enacted by the Legislature of West Virginia:

That article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section thirty-a, to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

(a) Notwithstanding any other provisions of this article, no hunting license may be issued to any person unless the person submits to the person authorized to issue hunting licenses either:

1. A certificate of training as provided for in this section or proof of completion of any course which
promotes as a major objective, safety in the handling of firearms and of bow and arrows and which course is approved by the Hunter Education Association;

(2) A certificate of training issued by another state or Canadian province; or

(3) An affidavit to be included on the license application form and signed by the person applying for a hunting license, stating that the person has held a hunting license issued by this or another state or Canadian province in a prior year. The provision of this section shall become effective the first day of January, one thousand nine hundred ninety.

(b) The director shall establish a course in the safe handling of firearms and of bows and arrows, such as the course approved by Hunter Education Association. This course shall be given at least once per year in each county in this state and shall be taught by instructors certified by the director. In establishing and conducting this course, the director may cooperate with any reputable association or organization which promotes as a major objective, safety in the handling of firearms and of bows and arrows: Provided, That any person holding a class A-L or AB-L lifetime resident license obtained prior to his or her fifteenth birthday shall be required to obtain a certificate of training as provided for in this section. This course of instruction shall be offered without charge, except for materials or ammunition consumed. Upon satisfactory completion of the course, each person instructed in the course shall be issued a certification of training for the purposes of complying with the requirements of subsection (a) of this section. The certificate shall be in the form prescribed by the director and shall be valid for hunting license application purposes.

(c) (1) Upon satisfactory completion of this course, any person whose hunting license has been revoked for a violation of the provisions of this chapter of the code may petition the director for a reduction of his revocation time. However, under no circumstances may the time be reduced to less than one year.
(2) Successful completion of this course shall be required to consider the reinstatement of a hunting license of any person whose license has been revoked due to a conviction for negligent shooting of a human being or of livestock under the provisions of section fifty-seven of this article or of section eleven, article seven, chapter sixty-one of this code, and who petitions the director for an early reinstatement of his hunting privileges. Such a petitioner shall also comply with the other requirements for consideration of reinstatement contained in section thirty-eight of this article.

Nothing herein contained shall mandate that any county school district in the state be responsible for implementing hunter safety education programs.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Frederick H. Larson  
Chairman Senate Committee

J. W. Lettis  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Joseph D. Wells  
Clerk of the Senate

Donald L. Kepp  
Clerk of the House of Delegates

Dan R.薄膜  
President of the Senate

Frederick H. Larson  
Speaker of the House of Delegates

The within is approved this the 24th day of April, 1989.

 Gaston Caperton  
Governor