WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990

---

ENROLLED

Cam. Sub. for
HOUSE BILL No. 4097

(By Delegate Love)

---

Passed March 9, 1990

In Effect 90 Days from Passage
AN ACT to amend and reenact section forty-b, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to Class A-1 small arms hunting licenses; allowing nonresident Class A-1 licenses; providing for a lifetime Class A-1 hunting license; requiring a fee for the issuance of a lifetime Class A-1 hunting license; and permitting clerks of county commissions to issue Class A-1 licenses.

Be it enacted by the Legislature of West Virginia:

That section forty-b, 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.

§20-2-40b. Class A-1 small arms hunting license.

1 Notwithstanding the provisions of section two, article seven, chapter sixty-one of this code, a Class A-1 license shall be a small arms hunting license. If a person is otherwise qualified, a Class A-1 license may be issued by the department, pursuant to rules and regulations promulgated by the director, which regulations shall
include provisions for the establishment of a voluntary
program available to citizens of the state pertaining to
safety and proficiency in the use of a revolver or pistol,
to a person twenty-one years of age or older who holds
a valid resident or nonresident hunting license, or to a
person who is a resident and sixty-five years of age or
older, but a Class A-1 license shall never be issued to
a person who has been convicted of a misdemeanor in
any way associated with the use of firearms or danger-
ous weapons or who has been convicted of any felony.

A Class A-1 license shall entitle the licensee to hunt,
as otherwise permitted by the provisions of this chapter,
but only during small game and big game seasons as
established annually by the director, with either a
revolver or pistol which has a barrel at least four inches
in length. A Class A-1 license shall entitle the licensee
to carry or have in his possession one, and only one,
revolver or pistol when going to and from his home or
residence and a place of hunting and while hunting in
the place: Provided, That such Class A-1 license shall not
be valid unless the licensee have in his possession a valid
resident or nonresident hunting license or to a person
who is a resident and sixty-five years of age or older:
Provided, however, That at all times, when not actually
hunting, the revolver or pistol shall be unloaded.

While hunting, the licensee shall carry the revolver or
pistol outside of his person in an unconcealed and easily
visible place. At all other times the revolver or pistol
shall be cased or dismantled in a way to cause it not to
operate. When being transported in a vehicle it shall be
kept in a locked compartment of the vehicle which shall
not be accessible from the inside of such vehicle.

The fee shall be five dollars for a Class A-1 license.
All such fees collected shall be deposited in the state
treasury and credited to the law-enforcement division of
the department of natural resources. Such fees shall be
paid out of the state treasury on order of the director
and used solely for law-enforcement purposes.

For a fee of seventy-five dollars, a lifetime Class A-
1 license may be issued to anyone otherwise qualified
and holding a valid Class A or Class AB license issued for a lifetime or to a person who is a resident and sixty-five years of age or older. All fees collected for the issuance of a lifetime Class A-1 license shall be deposited in the state treasury and credited to the law-enforcement division of the department of natural resources. The fees collected shall be paid out of the state treasury on order of the director and used solely for law-enforcement purposes: Provided, That upon conviction of a misdemeanor in any way associated with the use of firearms or dangerous weapons or conviction of any felony, a lifetime Class A-1 licensee shall immediately surrender said license to the Department of Natural Resources.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker of the House of Delegates

The within is approved this the ___ day of _____, 1990.

[Signature]
Governor
PRESENTED TO THE
GOVERNOR,
Date 3/27/90
Time 4:45 PM