

**WEST VIRGINIA LEGISLATURE**

**REGULAR SESSION, 1990**

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**ENROLLED**

**SENATE BILL NO.** 277

(By Senator Bennette, Mr. President, By Request)

—●—  
**PASSED** March 10, 1990

In Effect 90 days from Passage

**ENROLLED**  
**Senate Bill No. 277**

(BY SENATOR BURDETTE, MR. PRESIDENT, BY REQUEST)

[Passed March 10, 1990; in effect ninety days from passage.]

AN ACT to repeal sections twelve and thirteen, article seven, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section fifty-seven, article two, chapter twenty of said code, relating to the negligent shooting, wounding or killing of a human being or livestock while hunting and the penalty therefor; and shooting across a road or near a building or crowd and the penalty therefor.

*Be it enacted by the Legislature of West Virginia:*

That sections twelve and thirteen, article seven, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that section fifty-seven, article two, chapter twenty of said code be amended and reenacted to read as follows:

**ARTICLE 2. WILDLIFE RESOURCES.**

**§20-2-57. Negligent shooting, wounding or killing of human being or livestock while hunting; penalty.**

- 1 It shall be unlawful for any person, while engaged in
- 2 hunting or pursuing wild animals, wild birds or wild
- 3 fowl, carelessly or negligently to shoot, wound or kill
- 4 any human being, or any livestock, or destroy or
- 5 injure any other chattels or property.

6 It is unlawful for any person, while engaged in  
7 hunting, pursuing, taking or killing wild animals or  
8 wild birds, to carelessly or negligently shoot, wound or  
9 kill any human being or livestock, or to destroy or  
10 injure any other chattels or property.

11 Any person who, in the act of hunting, pursuing,  
12 taking or killing of wild animals or wild birds, in any  
13 manner injures any person or property shall file with  
14 the director a full description of the accident or other  
15 casualty, including such information as the director  
16 may require. Such report must be filed during a  
17 period not to exceed seventy-two hours following such  
18 incident.

19 Any person violating this section shall be deemed  
20 guilty of a misdemeanor, and, upon conviction thereof,  
21 shall be fined not exceeding one thousand dollars, and,  
22 in the discretion of the court trying the case, may in  
23 addition thereto be confined in the county jail for a  
24 period not exceeding one year.

25 Any person violating this section is guilty of a  
26 misdemeanor, and, upon conviction thereof, shall be  
27 fined not less than one thousand dollars nor more than  
28 ten thousand dollars, or imprisoned in the county jail  
29 not more than one year, or both fined and imprisoned.  
30 Restitution of the value of the livestock, chattel or  
31 property injured or destroyed shall be required upon  
32 conviction.

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

*Fredrick P. Park*  
.....  
Chairman Senate Committee

*Bernard V. Kelly*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage..

*Fassell E. Johnson*  
.....  
Clerk of the Senate

*Donald G. Kopp*  
.....  
Clerk of the House of Delegates

*Keith S. Smetette*  
.....  
President of the Senate

*Bob C. Cole*  
.....  
Speaker House of Delegates

The within is approved.....this the 26<sup>th</sup>.....  
day of March....., 1990.

*Gaston Caperton*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/20/60

Time 10:21 am

RECEIVED

1990 MAR 28 PM 3:02

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE