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WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998

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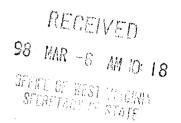
HOUSE BILL No. 4062

(By Delegates Proudfoot, Prunty, Leggett, Flanigan, Boggs, Border and Damron)

Passed February 19, 1998

In Effect from Passage





ENROLLED

H. B. 4062

(By Delegates Proudfoot, Prunty, Leggett, Flanigan, Boggs, Border and Damron)

[Passed February 19, 1998; in effect from passage.]

AN ACT to amend and reenact section four, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the possession of wildlife; providing for the lawful possesson of wildlife lawfully taken, killed or obtained; permitting the possession of certain wildlife killed by a motor vehicle after certain notification requirements are met; and requiring the director of natural resources to propose administrative policy pursuant to the section provisions.

Be it enacted by the Legislature of West Virginia:

That section four, 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.

§20-2-4. Possession of wildlife.

- Except for wildlife, lawfully taken, killed, or obtained,
- 2 no person shall have in his or her possession any wildlife,
- 3 or parts thereof, during closed seasons. It is unlawful to
- 4 possess any wildlife, or parts thereof, which have been
- 5 illegally taken, killed or obtained. Any wildlife illegally
- 6 taken, killed or possessed shall be forfeited to the state and

- shall be counted toward the daily, seasonal, bag, creel and possession limit of the person in possession of, or
- 9 responsible for, the illegal taking or killing of any wildlife.
- Wildlife lawfully taken outside of this state shall be subject to the same laws and rules as that taken within this state.
- Migratory wild birds shall be possessed only in accordance with the "Migratory Bird Treaty Act" and regulations thereunder.

The restrictions in this section do not apply to the director or duly authorized agents, who may, in any manner, take or maintain in captivity, at any time, any wildlife for the purpose of carrying out the provisions of this chapter.

21 Wildlife, except protected birds, spotted fawn, and bear 22 cubs, killed or mortally wounded as a result of being 23 accidentally or inadvertently struck by a motor vehicle 24 may be lawfully possessed: Provided, That the possessor 25 of such wildlife shall provide notice of the claim within 26 twelve hours to a relevant law-enforcement agency, and 27 obtain a nonhunting game tag within twenty-four hours of 28 possession. The director shall propose administrative 29 policy which shall address the means, methods and 30 administrative procedure for implementing the provisions 31 of this section.

The Joint Committee the foregoing bill is corre	on Enrolled Bills hereby certifies that
Chairman Senate	Shownell
	Chairman House Committee
Originating in the House.	
Takes effect from passage Clerk of the Se	Nomes .
Tout k	the House of Delegates Of Complexity
Pres	ident of the Senate
	Speaker of the House of Delegates
The within	this the
day of	, 1998.
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PRESENTED TO THE

GOVERNOR

Date. 3/27/98

Time 4