WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 1998

ENROLLED

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 possession 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.

1 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
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.

Wildlife, except protected birds, spotted fawn, and bear
cubs, killed or mortally wounded as a result of being
accidentally or inadvertently struck by a motor vehicle
may be lawfully possessed: Provided, That the possessor
of such wildlife shall provide notice of the claim within
twelve hours to a relevant law-enforcement agency, and
obtain a nonhunting game tag within twenty-four hours of
possession. The director shall propose administrative
policy which shall address the means, methods and
administrative procedure for implementing the provisions
of this section.
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 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 ________________ day of ________________, 1998, this the ________________

[Signature]
Governor
PRESENTED TO THE
GOVERNOR
Date: 3/27/98
Time: 2:40 PM