WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 1998

ENROLLED

House Bill No. 4418
(By Delegates Williams, Stemple, Collins, Beach, Michael and Proudfoot)

Passed March 14, 1998

In Effect Ninety Days from Passage
AN ACT to amend and reenact section fifty-four, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to license for privately-owned commercial shooting preserves; permits an additional month of hunting; requires operators to furnish numbered tags; and removes the exemption of nonresidents purchasing required state hunting licenses.

Be it enacted by the Legislature of West Virginia:

That section fifty-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.

§20-2-54. License for privately-owned commercial shooting preserves.

1 (1) The director may issue a license for privately-owned commercial shooting preserves to any person who meets the following requirements:

4 (a) Each commercial shooting preserve shall contain a minimum of three hundred acres in one tract of leased or owned land (including water area, if any) and shall be restricted to no more than three thousand contiguous acres
(including water area, if any), except that preserves
confined to the releasing of ducks only shall be
authorized to operate with a minimum of fifty contiguous
acres (including water area); and

(b) The exterior boundaries of each commercial
shooting preserve shall be clearly defined and posted with
signs erected around the extremity at intervals of one
hundred fifty yards or less.

(2) The director shall designate the game which may
be hunted under this section on which a more liberal
season may be allowed.

(3) The operating licenses or permits issued by the
director shall entitle holders thereof, and their guests or
customers, to recover not more than eighty percent of the
total number of each species of game bird released on the
premises each year, except mallard, black duck,
ringnecked pheasant, chukar partridge and other
nonnative game species upon which a one hundred
percent recovery may be allowed.

(4) Except for the required compliance with the
restriction on the maximum number of released birds that
may be recovered from each preserve each year, as
provided in subsections (3) and (8) of this section,
shooting preserve operators may establish their own
shooting limitations and restrictions on the age, sex and
number of birds that may be taken by each person.

(5) In order to give a reasonable opportunity for a fair
return on a sizeable investment, a liberal season shall be
designated by the director during the nine-month period,
beginning the first day of August first and ending the
thirtieth day of April.

(6) All harvested game shall be tagged with a
numbered tag prior to being either consumed on the
premises or removed therefrom, such tags to remain
affixed until the game actually is delivered to the point of
consumption.

(7) Each shooting preserve operator shall maintain a
registration book listing all names, addresses and hunting
license numbers of all shooters; the date on which they hunted; the amount of game and the species taken; and the tag numbers affixed to each carcass. An accurate record likewise must be maintained of the total number, by species, of game birds and ducks raised and/or purchased, and the date and number of all species released. These records shall be open to inspection by a delegated representative of the director at any reasonable time, and shall be the basis upon which the game recovery limits in subsection (3) of this section shall be determined.

(8) Any wild game found on commercial shooting preserves may be harvested in accordance with applicable game and hunting laws pertaining to open seasons, bag and possession limits, and so forth, as are established regularly by the director and the United States fish and wildlife service.

(9) State hunting licenses shall be required of all persons hunting or shooting on shooting preserves.

(10) The fee for such commercial shooting preserve license shall be fifty dollars per fiscal year for the first three hundred acres of the shooting preserve area, plus twenty-five dollars per fiscal year for each additional three hundred acres or part thereof.
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

Speaker of the House of Delegates

The within approved this the 1st day of April, 1998.

[signature]
Governor
PRESENTED TO THE
GOVERNOR

Date 31/3/98
Time 2:41 pm