

FILED

2005 MAY -4 A 9:20

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2005

ENROLLED

Committee Substitute for

SENATE BILL NO. 575

(By Senator Bowman, et al)

PASSED April 9, 2005

In Effect 90 days from **Passage**

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COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 575

(SENATORS BOWMAN, MCKENZIE, KESSLER
AND EDGELL, *original sponsors*)

[Passed April 9, 2005; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §20-2-5g and §20-2-42, all relating to authorizing crossbow hunting for certain disabled persons; providing crossbow specifications; and establishing permit requirements.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto two new sections, designated §20-2-5g and §20-2-42, all to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-5g. Use of a crossbow by certain physically disabled persons.

- 1 (a) Notwithstanding any other provision of this code to
- 2 the contrary, a person who possesses a valid Class Y

3 permit in accordance with section forty-two of this article
4 may, during the designated archery hunting season, hunt
5 with a crossbow.

6 (b) Only crossbows meeting all of the following specifi-
7 cations may be used for hunting in West Virginia:

8 (1) The crossbow has a minimum draw weight of one
9 hundred twenty-five pounds;

10 (2) The crossbow has a working safety; and

11 (3) The crossbow is used with bolts and arrows not less
12 than eighteen inches in length with a broad head having at
13 least two sharp cutting edges, measuring at least 3/4 of an
14 inch in width.

§20-2-42. Class Y special crossbow hunting permit for certain disabled persons.

1 (a) On or after the first day of January, two thousand six,
2 a Class Y permit shall be a special statewide hunting
3 permit and shall entitle the permittee to hunt all wildlife
4 during established archery seasons. An application shall
5 be furnished by the director and a Class Y permit allowing
6 the holder to use a crossbow, during the archery hunting
7 seasons, to applicants who meet the following require-
8 ments:

9 (1) He or she holds a Class Q permit;

10 (2) He or she has a permanent and substantial loss of
11 function in one or both hands while failing to meet the
12 minimum standards of the upper extremity pinch, grip and
13 nine-hole peg tests administered under the direction of a
14 licensed physician; or

15 (3) A permanent and substantial loss of function in one
16 or both shoulders while failing to meet the standards of
17 the standard shoulder strength test, administered under
18 the direction of a licensed physician.

19 (b) The application form shall include a written state-
20 ment or report prepared by a physician, prepared no more
21 than six months preceding the application and verifying
22 that the applicant is physically disabled as described in
23 this section. As part of the application, the applicant shall
24 authorize, by written release, an examination of all
25 medical records regarding his or her qualifying disability.
26 When completed, the permit form constitutes a Class Y
27 permit. The Class Y permit and a completed license
28 application shall be submitted to the Division, which will
29 issue a wallet sized card to the permittee. The card and all
30 other documents and identification required to be carried
31 by this article shall be in the permittee's possession when
32 hunting.

33 (c) A Class Y permit must be accompanied by a valid
34 statewide hunting license or the applicant must be exempt
35 from hunting licenses as provided in this chapter.

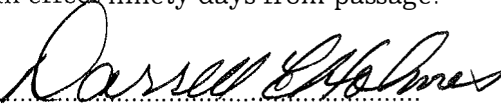
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


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Chairman Senate Committee



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Chairman House Committee

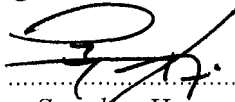
Originated in the Senate.

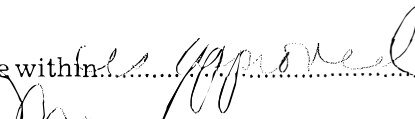

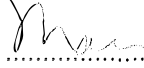
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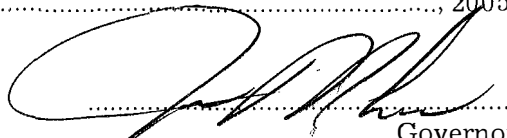

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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within  approved this the 
Day of  2005.


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Governor

PRESENTED TO THE
GOVERNOR

APR 29 2005

Time 9:40am