WEST VIRGINIA LEGISLATURE
Regular Session, 2005

ENROLLED
Committee Substitute for
SENATE BILL NO. ___525_____

(By Senator ____Bowman, et al_____

PASSED ______April 9, 2005______

In Effect ___90 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 the contrary, a person who possesses a valid Class Y
permit in accordance with section forty-two of this article
may, during the designated archery hunting season, hunt
with a crossbow.

(b) Only crossbows meeting all of the following specifications may be used for hunting in West Virginia:

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

(2) The crossbow has a working safety; and

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

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

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

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

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

(3) A permanent and substantial loss of function in one
or both shoulders while failing to meet the standards of
the standard shoulder strength test, administered under
the direction of a licensed physician.
(b) The application form shall include a written statement or report prepared by a physician, prepared no more than six months preceding the application and verifying that the applicant is physically disabled as described in this section. As part of the application, the applicant shall authorize, by written release, an examination of all medical records regarding his or her qualifying disability. When completed, the permit form constitutes a Class Y permit. The Class Y permit and a completed license application shall be submitted to the Division, which will issue a wallet sized card to the permittee. The card and all other documents and identification required to be carried by this article shall be in the permittee’s possession when hunting.

(c) A Class Y permit must be accompanied by a valid statewide hunting license or the applicant must be exempt from hunting licenses as provided in this chapter.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within bill is approved this the 3rd Day of... 2005.

Governor
PRESENTED TO THE GOVERNOR

APR 29 2005

Time: 9:45 a.m.