

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Originating

Senate Bill 733

By senators woodrum, barrett, hamilton, hunt, jeffries,

phillips, queen, smith, stuart, swope, and weld

[Originating in the Committee on Government

Organization; reported on February 24, 2023]

19 firearm for self-defense who is not prohibited from possessing a firearm pursuant to §61-7-7 of this
20 code. The fee for the stamp is \$8. A lifetime Class A-1 stamp may be issued to anyone otherwise
21 qualified and holding a valid Class A-L or, AB-L, E-L or EE-L license or to a resident 65 years of
22 age or older. The lifetime Class A-1 stamp will be issued in a form prescribed by the director. The
23 fee for a lifetime Class A-1 stamp is \$75. All fees collected for the issuance of the Class A-1 and
24 lifetime Class A-1 stamps shall be deposited in the State Treasury and credited to the law-
25 enforcement section of the Division of Natural Resources. The fees collected shall be paid out of
26 the State Treasury on order of the director and used solely for law-enforcement purposes. Any
27 person convicted of a misdemeanor associated with the use of firearms or dangerous weapons or
28 convicted of a felony, or any person who becomes legally unable to possess a firearm shall
29 immediately surrender the stamp to the Division of Natural Resources. A holder of a Class A-1 or
30 lifetime Class A-1 stamp is required to purchase the appropriate base license before participating
31 in the activities specified in this section, except as noted.

ARTICLE 2B. WILDLIFE ENDOWMENT FUND.

§20-2B-7. Lifetime hunting, fishing, and trapping licenses created.

1 (a) Pursuant to §20-2B-3 of this code, the director may issue the following lifetime hunting,
2 fishing, and trapping licenses and for the lifetime of the licensee, the lifetime licenses serve in lieu
3 of the equivalent annual license: Lifetime resident statewide hunting and trapping license; lifetime
4 resident combination statewide hunting, fishing, and trapping license; lifetime resident statewide
5 fishing license; and lifetime resident trout fishing license.

6 (b) The director shall propose a rule for legislative approval in accordance with §29A-3-1 *et*
7 *seq.* of this code, setting fees for lifetime licenses and shall have authority to promulgate
8 emergency legislative rules necessary to make effective the provisions of this section by July 1,
9 2021. The fees for adult lifetime licenses shall be 23 times the fee for the equivalent annual
10 licenses or stamps. The rule shall provide that the fee for any resident who has not reached his or
11 her 15th birthday shall be:

12 (1) Forty percent of the adult fee set under rule for any resident who has not reached his or
13 her first birthday;

14 (2) Fifty-five percent of the adult fee set under rule for any resident who is over one years
15 old but has not reached his or her fifth birthday;

16 (3) Seventy-five percent of the adult fee set under rule for any resident who is over five
17 years old but has not reached his or her 10th birthday; and

18 (4) Ninety percent of the adult fee set under rule for any resident who is over 10 years old
19 but has not reached his or her 15th birthday.

20 The rule shall also provide that any resident who has not reached his or her 15th birthday
21 and has been legally adopted shall be provided the same fee schedule, except the division shall
22 use the date of entry of the order or decree of adoption as the licensee's date of birth for purposes
23 of calculating the appropriate fee: *Provided*, That in addition to the provisions of this subsection for
24 adopted children, foster parents may also purchase a lifetime license for their respective foster
25 children under the same guidelines, except the division shall use the date of entry of the order
26 placing the child in foster care as the licensee's date of birth for purposes of calculating the
27 appropriate fee.

28 (c) Pursuant to §20-2B-3 of this code, the director may issue the following lifetime hunting,
29 fishing, and trapping licenses and for the lifetime of the licensee, the lifetime licenses serve in lieu
30 of the equivalent annual license: Lifetime nonresident statewide hunting and trapping license;
31 lifetime nonresident statewide fishing license; and lifetime nonresident bear hunting license.

32 (d) Pursuant to §20-2B-3 of this code, the director may issue the following lifetime hunting,
33 fishing, and trapping stamps and for the lifetime of the licensee, the lifetime stamps serve in lieu of
34 the equivalent annual stamp: Lifetime nonresident trout fishing stamp; lifetime nonresident archery
35 deer hunting stamp; lifetime nonresident muzzleloading deer hunting stamp; lifetime nonresident
36 turkey hunting stamp; and lifetime nonresident national forest hunting, fishing, and trapping stamp.

37 (b) The director shall propose a rule for legislative approval in accordance with §29A-3-1 et
38 seq. of this code, setting fees for nonresident lifetime licenses and stamps and shall have authority
39 to promulgate emergency legislative rules necessary to make effective the provisions of this
40 section by July 1, 2023. The fees for adult nonresident lifetime licenses and stamps shall be 23
41 times the fee for the equivalent annual licenses or stamps. The rule shall provide that the fee for
42 any nonresident who has not reached his or her 15th birthday shall be:

43 (1) Forty percent of the adult fee set under rule for any nonresident who has not reached
44 his or her first birthday;

45 (2) Fifty-five percent of the adult fee set under rule for any nonresident who is over one
46 years old but has not reached his or her fifth birthday;

47 (3) Seventy-five percent of the adult fee set under rule for any nonresident who is over five
48 years old but has not reached his or her 10th birthday; and

49 (4) Ninety percent of the adult fee set under rule for any nonresident who is over 10 years
50 old but has not reached his or her 15th birthday.

§20-2B-8. Privileges of lifetime licensees.

1 (a) Pursuant to §20-2B-7 of this code, resident lifetime licensees shall be entitled to the
2 same privileges and subject to the same restrictions as resident licensees possessing the
3 equivalent annual license with the following exceptions:

4 (1) Class A-L, AB-L, B-L and O-L licenses shall be valid for the lifetime of the licensee;

5 (2) A Class O-L lifetime resident trout fishing license shall be issued only to residents of the
6 state and shall be valid only when accompanied by a Class AB-L, B, B-L, X or XJ license; and

7 (3) No additional fee shall be required of Class A-L, AB-L or B-L licensees for the
8 conservation stamp required by §20-2B-9 of this code. No additional fee shall be required of Class
9 A-L or AB-L licensees for the Class BG stamp required by §20-2-42v of this code.

10 (b) Pursuant to §20-2B-7 of this code, nonresident lifetime licensees shall be entitled to the
11 same privileges and subject to the same restrictions as nonresident licensees possessing the
12 equivalent annual license with the following exceptions:

13 (1) Class E-L, EE-L, F-L, and OO-L licenses shall be valid for the lifetime of the licensee;

14 (2) No additional fee shall be required of Class E-L, EE-L, or F-L licensees for the
15 nonresident conservation law-enforcement and sports education stamp required by §20-2B-10 of
16 this code;

17 (3) A Class OO-L lifetime nonresident trout fishing license shall be issued only to
18 nonresidents of the state and shall be valid only when accompanied by a Class F or F-L license;

19 (4) A Class UU-L lifetime resident archery deer hunting stamp shall be issued only to
20 nonresidents of the state and shall be valid only when accompanied by a Class E-L license;

21 (5) A Class VV-L lifetime nonresident muzzleloading deer hunting stamp shall be issued
22 only to nonresidents of the state and shall be valid only when accompanied by a Class E-L license;

23 (6) A Class WW-L lifetime nonresident turkey hunting stamp shall be issued only to
24 nonresidents of the state and shall be valid only when accompanied by a Class E-L license; and

25 (7) A Class I-L lifetime nonresident national forest hunting, trapping, and fishing stamp
26 shall be issued only to nonresidents of the state and shall be valid only when accompanied by a
27 Class E-L, EE-L , or F-L license.