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2007 APR -3 PM 4: 26

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2007



# ENROLLED

COMMITTEE SUBSTITUTE

FOR

**House Bill No. 2840**

(By Delegates Anderson, Stemple, Martin, D. Poling,  
Azinger, Ellem, Border, White, Argento,  
Williams and Tabb)



Passed March 10, 2007

In Effect Ninety Days from Passage

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OFFICE WEST VIRGINIA  
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FOR

# H. B. 2840

(BY DELEGATES ANDERSON, STEMPLE, MARTIN, D. POLING,  
AZINGER, ELLEM, BORDER, WHITE, ARGENTO,  
WILLIAMS AND TABB)

[Passed March 10, 2007; in effect ninety days from passage.]

AN ACT to amend and reenact §20-2-12 of the Code of West Virginia, 1931, as amended, relating to transportation of wildlife outside of the state; and allowing residents and nonresidents to take legally killed, taken or captured game out of the state.

*Be it enacted by the Legislature of West Virginia:*

That §20-2-12 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

## **ARTICLE 2. WILDLIFE RESOURCES.**

**§20-2-12. Transportation of wildlife out of state; penalties**

1 (a) A person may not transport or have in his or her  
2 possession with the intention of transporting beyond the  
3 limits of the state any species of wildlife or any part thereof  
4 killed, taken, captured or caught within this state, except as  
5 provided in this section.

6 (1) A person legally entitled to hunt and fish in this state  
7 may take with him or her personally, when leaving the state,  
8 any wildlife that he or she has lawfully taken or killed, not  
9 exceeding, during the open season, the number that any  
10 person may lawfully possess.

11 (2) Licensed resident hunters and trappers and resident  
12 and nonresident fur dealers may transport beyond the limits  
13 of the state pelts of game and fur-bearing animals taken  
14 during the legal season.

15 (3) A person may transport the hide, head, antlers and  
16 feet of a legally killed deer and the hide, head, skull, organs  
17 and feet of a legally killed black bear beyond the limits of the  
18 state.

19 (4) A person legally entitled to possess an animal  
20 according to section four, article two of this chapter may  
21 transport that animal beyond the limits of the state.

22 (b) The director shall have authority to promulgate rules  
23 in accordance with chapter twenty-nine-a of this code dealing  
24 with the transportation and tagging of wildlife and the skins.

25 (c) A person violating the provisions of this section by  
26 transporting or possessing with the intention of transporting  
27 beyond the limits of this state deer or wild boar shall be  
28 deemed to have committed a separate offense for each animal  
29 so transported or possessed.

30 (d) A person violating the provisions of this section shall  
31 be guilty of a misdemeanor and, upon conviction thereof,  
32 shall be fined not less than twenty dollars nor more than three  
33 hundred dollars and be imprisoned in jail not less than ten nor  
34 more than sixty days.

35 (e) This section does not apply to persons legally entitled  
36 to propagate and sell wild animals, wild birds, fish,  
37 amphibians and other forms of aquatic life beyond the limits  
38 of the state.

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

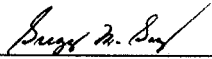
  
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Chairman Senate Committee

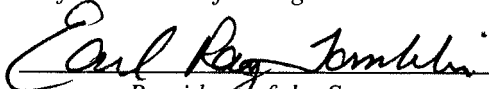
  
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Chairman House Committee

Originating in the House.

In effect ninety days from passage.

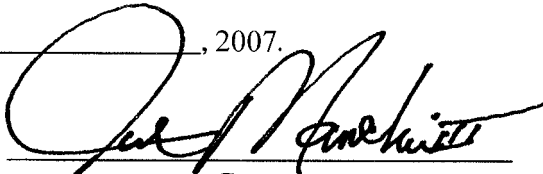
  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
\_\_\_\_\_  
President of the Senate

  
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Speaker of the House of Delegates

The within is approved this the 31<sup>st</sup>  
day of April, 2007.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 26 2007

Time 3:56pm