

H. B. 2175

(By Delegates Talbott and Crosier)  
[Introduced January 12, 2011; referred to the  
Committee on Natural Resources then the Judiciary.]

A BILL to amend and reenact §20-2-30a of the Code of West Virginia,  
1931, as amended, relating to allowing, under limited  
circumstances, a child under the age of fifteen years to hunt  
or take antlerless deer without first obtaining a certificate  
of training.

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

That §20-2-30a of the Code of West Virginia, 1931, as amended,  
be amended and reenacted to read as follows:

**ARTICLE 2. WILDLIFE RESOURCES.**

**§20-2-30a. Certificate of training; falsifying, altering,  
forging, counterfeiting or uttering training  
certificate; penalties.**

(a) Notwithstanding any other provisions of this article, ~~no~~  
a hunting license or stamp may not be issued to ~~any~~ a person who

1 was born on or after January 1, 1975, unless the person submits to  
2 the person authorized to issue hunting licenses a certificate of  
3 training as provided in this section or proof of completion of any  
4 course which promotes as a major objective safety in the handling  
5 of firearms and of bow and arrows and which course is approved by  
6 the Hunter Education Association or the director, or provides a  
7 State of West Virginia resident or nonresident hunting license from  
8 the previous hunting season that displays a certification of  
9 training, or attests that a hunter training course has been  
10 completed when purchasing a license or stamp online. However, a  
11 person who has not reached his or her fifteenth birthday may be  
12 issued a stamp and, if required, a hunting license, to lawfully  
13 hunt or take wildlife without first obtaining a certificate of  
14 training if the person is accompanied by a person eighteen years of  
15 age or older who is licensed pursuant to this chapter.

16 (b) The director shall establish a course in the safe handling  
17 of firearms and of bows and arrows, such as the course approved by  
18 the Hunter Education Association. This course shall be given at  
19 least once per year in each county in this state and shall be  
20 taught by instructors certified by the director. In establishing  
21 and conducting this course, the director may cooperate with any  
22 reputable association or organization which promotes as a major  
23 objective safety in the handling of firearms and of bows and  
24 arrows: *Provided*, That any person holding a Class A-L or AB-L

1 lifetime resident license obtained prior to his or her fifteenth  
2 birthday ~~shall be~~ is required to obtain a certificate of training  
3 as provided in this section before hunting or trapping pursuant to  
4 ~~said the~~ the license. This course of instruction shall be offered  
5 without charge, except for materials or ammunition consumed. Upon  
6 satisfactory completion of the course, each person instructed in  
7 the course shall be issued a certificate of training for the  
8 purposes of complying with the requirements of subsection (a) of  
9 this section. The certificate shall be in the form prescribed by  
10 the director and ~~shall be~~ is valid for hunting license application  
11 purposes.

12 (c) (1) Upon satisfactory completion of this course, any  
13 person whose hunting license has been revoked for a violation of  
14 the provisions of this chapter may petition the director for a  
15 reduction of his or her revocation time. However, under no  
16 circumstances may the time be reduced to less than one year.

17 (2) Successful completion of this course ~~shall be~~ is required  
18 to consider the reinstatement of a hunting license of any person  
19 whose license has been revoked due to a conviction for negligent  
20 shooting of a human being or of livestock under the provisions of  
21 section fifty-seven of this article, and who petitions the director  
22 for an early reinstatement of his or her hunting privileges. ~~Such~~  
23 ~~a~~ The petitioner shall also comply with the other requirements for  
24 consideration of reinstatement contained in section thirty-eight of

1 this article.

2 (d) It is unlawful for any person to falsify, alter, forge,  
3 counterfeit or utter a certificate of training. Any person who  
4 violates the provisions of this subsection is guilty of a  
5 misdemeanor and, upon conviction thereof, shall be fined not less  
6 than \$500 nor more than \$1,000, or confined in jail for a period  
7 not to exceed one year, or both fined and ~~imprisoned~~ confined.

8 (e) ~~Nothing herein contained shall~~ This section does not  
9 mandate that any county school district in the state be responsible  
10 for implementing hunter safety education programs.

NOTE: The purpose of this bill is to allow, under limited circumstances, a child under the age of fifteen years to hunt or take antlerless deer without first obtaining a certificate of training.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.