

1 **H. B. 2420**

2  
3 (By Delegates Ellem, Hamilton, D. Poling  
4 and Anderson)

5  
6 [Introduced January 12, 2011; referred to the  
7 Committee on Natural Resources then the Judiciary.]

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9  
10 A BILL to amend and reenact §20-2-54 of the Code of West Virginia,  
11 1931, as amended, relating to license for privately owned  
12 commercial shooting preserves; and providing that the amount  
13 of required acreage for bird hunting preserves may be one  
14 hundred acres.

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

16 That §20-2-54 of the Code of West Virginia, 1931, as amended,  
17 be amended and reenacted to read as follows:

18 **ARTICLE 2. WILDLIFE RESOURCES.**

19 **§20-2-54. License for privately-owned commercial shooting**  
20 **preserves.**

21 (1) The director may issue a license for privately-owned  
22 commercial shooting preserves to any person who meets the following  
23 requirements:

24 (a) Each commercial shooting preserve shall contain a minimum  
25 of three hundred acres in one tract of leased or owned land

1 (including water area, if any) and shall be restricted to no more  
2 than three thousand contiguous acres (including water area, if  
3 any), except that preserves confined to the releasing of ducks only  
4 shall be authorized to operate with a minimum of fifty contiguous  
5 acres (including water area) and commercial shooting preserves for  
6 bird hunting may contain a minimum of one hundred acres in one  
7 tract of leased or owned land (including water area, if any); and

8 (b) The exterior boundaries of each commercial shooting  
9 preserve shall be clearly defined and posted with signs erected  
10 around the extremity at intervals of one hundred fifty yards or  
11 less.

12 (2) The director shall designate the game which may be hunted  
13 under this section on which a more liberal season may be allowed.

14 (3) The operating licenses or permits issued by the director  
15 ~~shall entitle~~ entitles holders ~~thereof,~~ of the licenses or permits  
16 and their guests or customers, to recover not more than eighty  
17 percent of the total number of each species of game bird released  
18 on the premises each year, except mallard, black duck, ringnecked  
19 pheasant, chukar partridge and other nonnative game species upon  
20 which a one hundred percent recovery may be allowed.

21 (4) Except for the required compliance with the restriction on  
22 the maximum number of released birds that may be recovered from  
23 each preserve each year, as provided in subsections (3) and (8) of  
24 this section, shooting preserve operators may establish their own

1 shooting limitations and restrictions on the age, sex and number of  
2 birds that may be taken by each person.

3 (5) In order to give a reasonable opportunity for a fair  
4 return on a sizeable investment, a liberal season shall be  
5 designated by the director during the nine-month period, beginning  
6 August 1, and ending April 30.

7 (6) The shooting preserve operator shall tag all harvested  
8 game ~~shall be tagged~~ with a numbered tag prior to the game being  
9 ~~either~~ consumed on the premises or removed. ~~therefrom,~~ Such tags ~~to~~  
10 must remain affixed until the game ~~actually~~ is physically delivered  
11 to the point of consumption.

12 (7) Each shooting preserve operator shall maintain a  
13 registration book listing all names, addresses and hunting license  
14 numbers of all shooters; the date on which they hunted; the amount  
15 of game and the species taken; and the tag numbers affixed to each  
16 carcass. An accurate record likewise ~~must~~ shall be maintained of  
17 the total number, by species, of game birds and ducks raised and/or  
18 purchased, and the date and number of all species released. These  
19 records shall be open to inspection by a delegated representative  
20 of the director at any reasonable time, and shall be the basis upon  
21 which the game recovery limits in subsection (3) of this section  
22 ~~shall be~~ are determined.

23 (8) Any wild game found on commercial shooting preserves may  
24 be harvested in accordance with applicable game and hunting laws

1 pertaining to open seasons, bag and possession limits, and so  
2 forth, as are established regularly by the director and the United  
3 States Fish and Wildlife Service.

4 (9) State hunting licenses shall be required of all persons  
5 hunting or shooting on shooting preserves.

6 (10) The fee for such commercial shooting preserve license  
7 ~~shall be~~ is \$50 per fiscal year for the first three hundred acres  
8 of the shooting preserve area plus \$25 per fiscal year for each  
9 additional three hundred acres or part thereof.

NOTE: The purpose of this bill is to provide that the amount  
of required acreage for bird hunting preserves may be one hundred  
acres for privately owned commercial shooting preserves.

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