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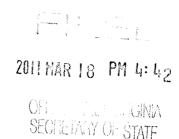
# WEST VIRGINIA LEGISLAT URE SI VIRGINIA EIGHTIETH LEGISLATURE REGULAR SESSION, 2011

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Senate Bill No. 358

(SENATORS LAIRD AND MILLER)

[Passed March 4, 2011; in effect ninety days from passage.]



### ENROLLED

# Senate Bill No. 358

(SENATORS LAIRD AND MILLER)

[Passed March 4, 2011; in effect ninety days from passage.]

AN ACT to amend and reenact §20-2-4 of the Code of West Virginia, 1931, as amended, relating to electronic registration of wildlife.

Be it enacted by the Legislature of West Virginia:

That §20-2-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

### ARTICLE 2. WILDLIFE RESOURCES.

### §20-2-4. Possession of wildlife.

- 1 Except for wildlife, lawfully taken, killed or obtained, no
- 2 person may have in his or her possession any wildlife, or
- 3 parts thereof, during closed seasons. It is unlawful to possess
- 4 any wildlife, or parts thereof, which have been illegally
- 5 taken, killed or obtained. Any wildlife illegally taken, killed
- 6 or possessed shall be forfeited to the state and shall be
- 7 counted toward the daily, seasonal, bag, creel and possession
- 8 limit of the person in possession of, or responsible for, the
- 9 illegal taking or killing of any wildlife.
- 10 Wildlife lawfully taken outside of this state is subject to
- 11 the same laws and rules as that taken within this state.

- 12 Migratory wild birds may be possessed only in accordance
- 13 with the "Migratory Bird Treaty Act" and regulations
- 14 thereunder.
- 15 The restrictions in this section do not apply to the director
- 16 or duly authorized agents, who may, in any manner, take or
- maintain in captivity, at any time, any wildlife for the 17
- purpose of carrying out the provisions of this chapter. 18
- 19 Wildlife, except protected birds, spotted fawn, and bear
- 20 cubs, killed or mortally wounded as a result of being acci-
- 21 dentally or inadvertently struck by a motor vehicle may be
- 22 lawfully possessed if the possessor of the wildlife provides
- 23 notice of the claim within twelve hours to a relevant law-
- 24 enforcement agency, and obtains a nonhunting game tag
- 25 within twenty-four hours of possession. The director shall
- 26 propose administrative policy which addresses the means,
- methods and administrative procedures for implementing the 27
- 28 provisions of this section.
- 29 Persons required to deliver wildlife to an official checking
- 30 station may, in accordance with rules promulgated by the
- 31 director, electronically register the wildlife in lieu of the
- 32 delivery to an official checking station. "Electronically
- 33 register" means submission of all necessary and relevant
- 34 information to the division, in the manner designated by
- 35 rule, in lieu of delivery of the wildlife to an official checking
- 36 station. The director may promulgate rules, pursuant to
- 37 article three, chapter twenty-nine-a of this code, governing
- 38 the electronic registration of wildlife.

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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.
Chairman Senate Committee
yesha Chow
Chairman House Committee
Originated in the Senate.
In effect ninety days from passage.
Clerk of the Senate
Clerk of the House of Delegates
Clerk of the House of Delegales!
/ A A CK
Acting President of the Senate
Speaker of the House of Delegates
The within Approved this the
Day of March 2011

## PRESENTED TO THE GOVERNOR

MAR 1 5 2011

Time 9.20 am