

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2693**

BY DELEGATES HAMILTON, A. EVANS, PAYNTER, AMBLER,

BUTLER, R. ROMINE, LEWIS, RODIGHIERO, ELDRIDGE,

BALDWIN AND HORNBUCKLE

[Introduced February 24, 2017; Referred  
to the Committee on Agriculture and Natural  
Resources then the Judiciary.]

1 A BILL to amend and reenact §20-2-3 of the Code of West Virginia, 1931, as amended, relating  
2 to state ownership of wildlife.

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

1 That §20-2-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted  
2 to read as follows:

**ARTICLE 2. WILDLIFE RESOURCES.**

**§20-2-3. State ownership of wildlife.**

1 The ownership of and title to all ~~wild animals, wild birds, both migratory and resident, and~~  
2 ~~all fish, amphibians, and all forms of aquatic life~~ wildlife in the State of West Virginia is hereby  
3 declared to be in the state, as trustee for the people. No such wildlife shall be taken or hunted in  
4 any manner, or at any time, unless the person so taking or hunting the same shall consent that  
5 the title thereto shall be and remain in the State of West Virginia for the purpose of regulating the  
6 taking, hunting, using and disposing of the same. The taking or hunting of wildlife at any time or  
7 in any manner by any person shall be deemed such consent: *Provided*, That, all fish, frogs and  
8 other aquatic life in privately-owned ponds are, and shall remain, the private property of the owner  
9 or owners of such privately-owned ponds, and that such fish, frogs and other aquatic life in such  
10 privately-owned ponds may be caught, taken or killed by such owner or owners at any time.

NOTE: The purpose of this bill is to make the definition of wildlife consistent with the existing definition of wildlife contained in WV Code §20-1-2.

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