

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 471

BY SENATORS MAYNARD, STOLLINGS AND CLINE

[Introduced February 28, 2017; Referred
to the Committee on Natural Resources; and then to
the Committee on 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
2 reenacted 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.