

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Committee Substitute

for

House Bill 2662

BY DELEGATES AMBLER, COOPER, PAYNTER, MAYNARD,
HOUSEHOLDER, EVANS, A., HAMILTON, HICKS, ELDRIDGE
AND RODIGHIERO

[Introduced January 10, 2018; Referred to the
Committee on Agriculture and Natural Resources
then the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §20-2-5i, relating to and prohibiting the waste of game animals, game birds or
3 game fish and creating a misdemeanor with criminal penalties for the violation thereof.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-5i. Waste of game animals, game birds, or game fish; penalties.

1 (a) A person may not waste a game animal, game bird, or game fish (hereinafter referred
2 to as “game”) that has been wounded, killed, or taken while hunting or fishing. This section does
3 not apply to fur-bearing animals and woodchucks or groundhogs. For purposes of this section,
4 “waste” means:

5 (1) To detach or remove only the head, hide, feet, paws, claws, antlers, tusks, gall bladder,
6 or teeth or any or all of these parts from the carcass of game;

7 (2) To detach or remove only the feathers, fan, beard, or spurs or any or all of these parts
8 from game;

9 (3) To intentionally dispose of or abandon any portion of game suitable for food in the
10 fields or woods or about the streams of the state;

11 (4) To leave wounded or killed game in the fields or woods or about the streams of the
12 state without making a reasonable effort to retrieve and render it for consumption or use: *Provided,*
13 That nothing in this subsection shall be construed as requiring any person to retrieve wounded
14 game if such retrieval would constitute a violation of section seven of this article; or

15 (5) To transport, store, or hang the carcass of game in a manner that renders it unfit for
16 human consumption.

17 (b) Any person violating the provisions of this section is guilty of a misdemeanor and, upon
18 conviction thereof, shall be subject to the following penalties:

19 (1) With respect to big game as defined in section two, article one of this chapter, a fine of
20 not less than \$500 nor more than \$2,500, or confined in jail not less than ten days nor more than

21 one hundred days, or both fined and confined. Additionally, the person shall be subject to the
22 applicable forfeiture provisions set forth in section five-a of this article. Further, the person's
23 hunting and fishing licenses shall be suspended for five years.

24 (2) With respect to all other game a fine of not less than \$100 nor more than \$1,000, or
25 confined in jail not less than ten days nor more than one hundred days, or both fined and confined.

NOTE: The purpose of this bill is to prohibit the waste of game animals, game birds, or game fish.

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