

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

House Bill 4326

BY DELEGATES PACK, COOPER, BUTLER, HIGGINBOTHAM,
MOORE, HOWELL, SHOTT, FOSTER, HANSHAW, CAPITO
AND LYNCH

[Introduced January 26, 2018; Referred
to the Committee on Veterans' Affairs and Homeland
Security then the Judiciary.]

1 A BILL to amend and reenact §20-2-30a of the Code of West Virginia, 1931, as amended, relating
 2 to exempting veterans who are honorably discharged from the Armed Forces of the United
 3 States of America from obtaining a certificate of training in handling a firearm if that veteran
 4 presents to the local office of the Division of Wildlife Resources a copy of the veteran's
 5 DD-214 form indicating that veteran's qualification with a firearm.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-30a. Certificate of training; falsifying, altering, forging, counterfeiting, or uttering training certificate; penalties.

1 (a) Notwithstanding any other provisions of this article, no base hunting license may be
 2 issued to any person who was born on or after January 1, 1975, unless the person submits to the
 3 person authorized to issue hunting licenses a certificate of training as provided in this section or
 4 proof of completion of any course which promotes as a major objective safety in the handling of
 5 firearms and of bow and arrows and which course is approved by the hunter education association
 6 or the director, or provides a State of West Virginia resident or nonresident hunting license from
 7 the previous hunting season that displays a certification of training, or attests that a hunter training
 8 course has been completed when purchasing a license or stamp online: *Provided*, That after
 9 January 1, 2013, a person may be issued a Class AH, Class AHJ, Class AAH and Class AAHJ
 10 apprentice hunting and trapping license pursuant to the provisions of section forty-two-y of this
 11 article and is exempt from the hunter training requirements set forth herein.

12 (b) The director shall establish a course in the safe handling of firearms and of bows and
 13 arrows, such as the course approved by the Hunter Education Association. This course shall be
 14 given at least once per year in each county in this state and shall be taught by instructors certified
 15 by the director. In establishing and conducting this course, the director may cooperate with any
 16 reputable association or organization which promotes as a major objective safety in the handling
 17 of firearms and of bows and arrows: *Provided*, That any person holding a Class A-L or AB-L

18 lifetime resident license obtained prior to his or her fifteenth birthday shall be required to obtain a
19 certificate of training as provided in this section before hunting or trapping pursuant to said license.
20 This course of instruction shall be offered without charge, except for materials or ammunition
21 consumed. Upon satisfactory completion of the course, each person instructed in the course shall
22 be issued a certificate of training for the purposes of complying with the requirements of
23 subsection (a) of this section. The certificate shall be in the form prescribed by the director and
24 shall be valid for hunting license application purposes.

25 (c) (1) Upon satisfactory completion of this course, any person whose hunting license has
26 been revoked for a violation of the provisions of this chapter may petition the director for a
27 reduction of his or her revocation time. However, under no circumstances may the time be
28 reduced to less than one year.

29 (2) Successful completion of this course shall be required to consider the reinstatement of
30 a hunting license of any person whose license has been revoked due to a conviction for negligent
31 shooting of a human being or of livestock under the provisions of §20-2-57 of this code, and who
32 petitions the director for an early reinstatement of his or her hunting privileges. Such a petitioner
33 shall also comply with the other requirements for consideration of reinstatement contained in
34 section thirty-eight of this article.

35 (d) Any resident of West Virginia who was honorably discharged from the Armed Forces
36 of the United States of America is exempt from the provisions of this section requiring certification
37 of training with a firearm for purposes of complying with the requirements of subsection (a) of this
38 section, if that resident presents to the local office of the Division of Wildlife Resources a copy of
39 the veteran's DD-214 form indicating that veteran's qualification with a firearm.

40 ~~(d)~~ (e) It is unlawful for any person to falsify, alter, forge, counterfeit, or utter a certificate
41 of training. Any person who violates the provisions of this subsection is guilty of a misdemeanor
42 and, upon conviction thereof, shall be fined not less than \$500 nor more than \$1,000, or confined
43 in jail for a period not to exceed one year, or both fined and ~~imprisoned~~ confined.

44 ~~(e)~~ (f) Nothing herein contained shall mandate that any county school district in the state

45 be responsible for implementing hunter safety education programs.

NOTE: The purpose of this bill is to exempt veterans who are honorably discharged from the Armed Forces of the United States of America from obtaining a certificate of training in handling a firearm if that veteran presents to the local office of the Division of Wildlife Resources a copy of the veteran's DD-214 form indicating that veteran's qualification with a firearm.

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