

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 2601

BY DELEGATES FAST, BURKHAMMER, KESSINGER,
PHILLIPS, PRITT, BRUCE, PINSON, KIMBLE, KIMES, D.

KELLY AND BROWN

[Introduced February 19, 2021; Referred to the
Committee on Agriculture and Natural Resources
then the Judiciary]

1 A BILL to amend and reenact §20-2-31 and §20-2-36 of the Code of West Virginia, 1931, as
 2 amended, relating to providing for an electronic or digital version of a hunting or fishing
 3 license.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WILDLIFE RESOURCES.

PART II. LICENSES AND PERMITS.

§20-2-31. Size and form of license and tag; contents; unlawful to alter licenses or permits; penalty.

1 (a) The size, content, and form of all licenses, tags, and permits shall be prescribed by the
 2 director and, after July 1, 2021, shall include an electronic or digital version that is accessible by
 3 and stored on a mobile device, and that contains a unique barcode to be used for verification by
 4 an officer authorized to enforce this chapter. The information which a licensee is required to
 5 furnish shall be placed upon the license by the license issuing authority before delivery of such
 6 license to the licensee: *Provided*, That all hunting or fishing licenses as defined in §16-19-3 of this
 7 code include document of gift indicating the applicant has made an anatomical gift, as defined in
 8 §16-19-3 of this code.

9 (b) It is unlawful for any person to alter, mutilate, or deface any license, tag, or permit, or
 10 the entries thereon, for the purpose of evading the provisions of this chapter.

11 Any person violating the provisions of this subsection is guilty of a misdemeanor and, upon
 12 conviction thereof, shall be fined not less than \$20 nor more than \$300; and upon a second and
 13 subsequent conviction thereof, shall be fined not less than \$20 nor more than \$300, or confined
 14 in jail not less than 10 nor more than 100 days, or both fined and confined.

§20-2-36. When license, related documents, and picture identification to be carried; using license of another; transferring license to another.

1 (a) A person who is required by this article to be licensed may not hunt, take, pursue, trap

2 for, kill, catch or chase for sport any wild animal or wild bird; or fish for, take, kill or catch any fish
3 or amphibians of any kind whatsoever in this state unless he or she shall have on his or her
4 person: (1) A valid license issued to him or her, or other proof that a valid license has been issued
5 to him or her in accordance with this article which, after July 1, 2021, shall include an electronic
6 or digital version that is accessible by and stored on a mobile device, and that contains a unique
7 barcode to be used for verification by an officer authorized to enforce this chapter; (2) all
8 applicable stamps, permits, and written consents required by this article; (3) a driver's license,
9 passport, or picture identification issued to him or her by his or her state of residence; and (4) a
10 certificate of training or other proof of hunter safety education as required by section thirty-a of
11 this article.

12 As an alternative to the identification required by subsection (a)(3) of this section, the
13 name, address and birthdate of a licensee under the age of 15 years may be established by the
14 averment of an accompanying licensed adult.

15 (b) It is unlawful for any person to use at any time any license other than those valid
16 licenses legally issued to him or her in accordance with this article.

17 (c) Except as expressly provided by this article, it is unlawful for any person to transfer a
18 license to any other person.

NOTE: The purpose of this bill is for a West Virginia hunting or fishing license to be issued and validated by an electronic or digital version stored on a mobile device.

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