

WEST VIRGINIA LEGISLATURE
2022 SECOND EXTRAORDINARY SESSION

Introduced
House Bill 210

BY DELEGATES HANSHAW (MR. SPEAKER) AND SKAFF

[By Request of the Executive]

[Introduced April 25, 2022]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §20-2-5k relating to permitting the use of air rifles when hunting; permitting a
 3 person use an air rifle to hunt when properly authorized to hunt under an existing stamp;
 4 setting forth criteria for when an air rifle may be used to hunt game in this state; setting
 5 caliber limits for air rifles when hunting certain types of game; and providing limitations on
 6 air rifle use.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-5k. Use of air rifles to hunt.

1 (a) Notwithstanding any other provision of this code to the contrary, any person lawfully
 2 entitled to hunt may hunt with an air rifle during small game and big game firearms
 3 season: *Provided*, That air rifles may only be used for deer hunting in counties open to firearm
 4 deer hunting.

5 (b) An air rifle may not be substituted for a muzzleloader during any muzzleloader season
 6 or during the Mountaineer Heritage season.

7 (c) No person may be afield with an air rifle and bow, or with an air rifle or any arrow at
 8 the same time.

9 (d) No person may hunt with an air bow at any time.

10 (e) Any person hunting with an air rifle is subject to all other rifle and firearm hunting
 11 regulations according to this chapter and rules promulgated thereunder.

12 (f) Only air rifles meeting the following specifications may be used for hunting big game:

13 (1) No person may hunt big game with an air rifle of less than .45 caliber and with a bullet
 14 of less than 200 grains, except that wild turkey may be hunted with an air rifle of .22 caliber or
 15 larger.

16 (2) No person may hunt small game with an air rifle of less than .22 caliber.

17 (g) Air rifles may be shot within 500 feet of a dwelling.

NOTE: The purpose of this bill is to permit the use of air rifles when hunting. The bill permits a person to use an air rifle to hunt when properly authorized to hunt under an existing stamp. The bill sets forth criteria for when an air rifle may be used to hunt game in this state. The bill sets caliber limits for air rifles when hunting certain types of game. Finally, the bill provides limitations on air rifle use.

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