

# WEST VIRGINIA LEGISLATURE

## 2023 REGULAR SESSION

Introduced

### House Bill 3380

FISCAL  
NOTE

By Delegates Kimble, mazzocchi, Warner, Steele, and

Petitto

[Introduced February 13, 2023; Referred to the

Committee on Government Organization

1 A BILL to amend and reenact §20-2-47 of the Code of West Virginia, 1931, as amended, relating to  
 2 allowing an owner of Japanese quail (Coturnix Quail and Button Quail) to keep them as  
 3 pets without having to obtain a license for a private game farm.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2. WILDLIFE RESOURCES.**

**§20-2-47. License for private game farm for propagating animals and birds for commercial purposes.**

1 (a) The director may issue a license for the operation of a private game preserve for  
 2 propagation of wild animals and wild birds for commercial purposes. The license shall authorize  
 3 the holder to breed or raise animals and birds as specified by the license, to sell the same dead or  
 4 alive, or to sell the eggs of birds in accordance with regulations prescribed by the director.

5 (b) Application for a license under this section shall designate the property whereon the  
 6 preserve is to be established. Before the license is issued, the director shall determine that the  
 7 property is properly enclosed, that the provisions for housing and sanitation are proper and  
 8 adequate, and that the safety of the public is protected.

9 (c) The annual license fee shall be is \$10.

10 (d) Notwithstanding subsection (a) of this section or other provision of this chapter, this  
 11 section does not require an owner of Japanese quail (Coturnix Quail and Button Quail) to obtain a  
 12 license under this section to keep them as pets if the quail are not used for commercial purposes.  
 13 Occasional sales of three or fewer quail in a calendar year do not qualify as "commercial  
 14 purposes" as used in this section.

NOTE: The purpose of this bill is to allow an owner of Japanese quail (Coturnix Quail and Button Quail) to keep them as pets without having to obtain a license for a private game farm.

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