

1 **H. B. 4378**

2  
3 (By Delegates, Folk, Walker, Pino, Manypenny,  
4 Sponaugle, R. Phillips, Overington, Hartman,  
5 Hamilton, Ireland and Faircloth)  
6

7 [Introduced January 30, 2014; referred to the  
8 Committee on Agriculture and Natural Resources then the  
9 Judiciary.]

10 A BILL to amend and reenact §20-2-15 of the Code of West Virginia,  
11 1931, as amended, relating to permits to kill deer or other  
12 wildlife causing damage to cultivated crops.

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

14 That §20-2-15 of the Code of West Virginia, 1931, as amended,  
15 be amended and reenacted to read as follows:

16 **ARTICLE 2. WILDLIFE RESOURCES.**

17 **§20-2-15. Permit to kill deer or other wildlife causing damage to**  
18 **cultivated crops, trees, commercial nurseries,**  
19 **homeowners' shrubbery and vegetable gardens; weapon**  
20 **restrictions.**

21 (a) Whenever it is found that deer or other wildlife are  
22 causing damage to cultivated crops, fruit trees, commercial  
23 nurseries, homeowners' trees, shrubbery or vegetable gardens, the  
24 owner or lessee of the lands on which damage is done may report the  
25 finding to the natural resources police officer or biologist of the

1 county in which the lands are located or to the director. The  
2 director shall then investigate the reported damage and if found  
3 substantial, shall issue a permit, which is valid from April 1 of  
4 the year issued to seven days prior to the beginning of the first  
5 deer hunting season, to the owner or lessee to kill one or more  
6 deer or other wildlife in the manner prescribed by the director:  
7 Provided, That once issued, the permits shall automatically renew  
8 from one year to the next for a maximum of five years: Provided,  
9 however, That all persons who have been issued a permit in the  
10 previous three years shall have those permits automatically  
11 renewed.

12 (b) In addition to the foregoing, the director shall establish  
13 procedures for the issuance of permits or other authorization  
14 necessary to control deer or other wildlife causing property  
15 damage: Provided, That persons who possess these permits do not  
16 need to account for deer killed more than once per year prior to  
17 the commencement of the regular hunting seasons for deer.

18 (c) All persons attempting to kill deer or other wildlife  
19 pursuant to this section are subject to the same minimum caliber  
20 restrictions and other firearm restrictions and the same minimum  
21 bow poundage and other bow and arrow restrictions that apply when  
22 hunting the same animal species during the regular hunting seasons.

NOTE: The purpose of this bill is to provide that permits to

kill deer or other wildlife causing damage to cultivated crops shall be valid from April 1 of the year issued to seven days prior to the beginning of the first deer hunting season. The bill also provides that the permits will also automatically renew yearly up to a maximum of five years. The bill further provides that persons who possess the permits shall not need to account for deer killed more than once per year prior to the commencement of the regular hunting seasons for deer.

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