

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2521

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KELLY, D., ATKINSON, SYPOLT, HANNA AND MANDT

[Introduced January 18, 2019; Referred
to the Committee on Agriculture and Natural
Resources then the Judiciary.]

1 A BILL to amend and reenact §29-2-11 of the Code of West Virginia, 1931, as amended, relating
2 to permitting fur-bearer parts, including, but is not limited to, glands, skulls, urine, essence,
3 claws, baculum and meat of game or fur-bearing animals, and the hides and tails of
4 squirrels to be sold, traded or bartered.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-11. Sale of wildlife; transportation of same.

1 (a) A person, except those legally licensed to operate private game preserves for the
2 purpose of propagating game for commercial purposes and those legally licensed to propagate
3 or sell fish, amphibians and other forms of aquatic life, may not purchase or offer to purchase, sell
4 or offer to sell, trade or offer to trade, barter or offer to barter, expose for sale, trade or barter or
5 have in his or her possession for the purpose of sale, trade or barter any wildlife, or part thereof,
6 which has been designated as game animals, fur-bearing animals, game birds, game fish or
7 amphibians, or any of the song or insectivorous birds of the state, or any other species of wildlife
8 which the director may designate, except for captive cervids regulated pursuant to the provisions
9 of §19-2H-1 *et seq.* of this code. However, pelts, and fur-bearer parts, including, but not limited
10 to, glands, skulls, urine, essence, claws, baculum, and meat, of game or fur-bearing animals taken
11 during the legal season may be sold, traded or bartered and live red and gray foxes and raccoon
12 taken by legal methods during legal and established trapping seasons may be sold, traded or
13 bartered within the state. In addition, the hide, head, antlers and feet of a legally killed deer,
14 lawfully collected and possessed naturally shed deer antlers, ~~and~~ the hide, head and skull of a
15 legally killed black bear, and the hide and tails of legally killed squirrels may be sold, traded or
16 bartered.

17 (b) A person, including a common carrier, may not transport, carry or convey, or receive
18 for such purposes, any wildlife, the sale, trade or bartering of which is prohibited, if such person
19 knows or has reason to believe that such wildlife has been or is to be sold, traded or bartered in

20 violation of this section.

21 (c) Each separate act of selling or exposing for sale, trading or exposing for trade or
22 bartering or exposing for barter or having in possession for sale, trade, barter, transporting or
23 carrying in violation of this section constitutes a separate misdemeanor offense. Notwithstanding
24 this or any other section of this chapter, any game birds or game bird meats sold by licensed
25 retailers may be served at any hotel, restaurant or other licensed eating place in this state.

26 (d) The director may propose rules for promulgation in accordance with §29A-3-1 *et seq.*
27 of this code dealing with the sale of wildlife and the skins thereof.

NOTE: The purpose of this bill is to permit fur-bearer parts, including, but is not limited to, glands, skulls, urine, essence, claws, baculum and meat of game or fur-bearing animals, and the hides and tails of squirrels to be sold, traded or bartered.

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