

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Committee Substitute

for

Senate Bill 502

BY SENATORS HAMILTON, STOVER, WOODRUM,
IHLENFELD, LINDSAY, SMITH, ROMANO, JEFFRIES, AND
GRADY

[Originating in the Committee on Finance; reported on March 12, 2021]

1 A BILL to amend and reenact §20-2B-7 of the Code of West Virginia, 1931, as amended, relating
2 to lifetime hunting, fishing, and trapping licenses for residents who have not reached their
3 15th birthday; providing that residents who have not reached their 15th birthday may be
4 eligible to receive their lifetime hunting, fishing, and trapping license; providing that
5 adopted children who have not reached their 15th birthday may be eligible to receive their
6 lifetime hunting, fishing, and trapping license; providing that lifetime hunting, fishing, and
7 trapping license fees for adopted children are calculated from the date of adoption decree
8 or order; providing that foster children who have not reached their 15th birthday may be
9 eligible to receive their lifetime hunting, fishing, and trapping license; providing that lifetime
10 hunting, fishing, and trapping license fees for foster children are calculated from the date
11 of entry of the order placing the child in foster care; and providing the Director of the
12 Division of Natural Resources emergency legislative rule-making authority.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2B. WILDLIFE ENDOWMENT FUND.

§20-2B-7. Lifetime hunting, fishing, and trapping licenses created.

1 (a) Pursuant to §20-2B-3 of this code, the director may issue the following lifetime hunting,
2 fishing, and trapping licenses and for the lifetime of the licensee, the lifetime licenses serve in lieu
3 of the equivalent annual license: Lifetime resident statewide hunting and trapping license; lifetime
4 resident combination statewide hunting, fishing, and trapping license; lifetime resident statewide
5 fishing license; and lifetime resident trout fishing license.

6 (b) The director shall propose a rule for legislative approval in accordance with §29A-3-1
7 *et seq.* of this code, setting fees for lifetime licenses and shall have authority to promulgate
8 emergency legislative rules necessary to make effective the provisions of this section by July 1,
9 2021. The fees for adult lifetime licenses shall be 23 times the fee for the equivalent annual
10 licenses or stamps. The rule shall provide that the fee for any resident who has not reached his
11 or her ~~second~~ 15th birthday shall be: ~~one half of the adult fee set under the rule. The rule shall~~

12 ~~also provide that the fee for any resident who has not reached his or her 12th birthday and has~~
13 ~~been legally adopted, shall be provided with a period of two years from the date of entry of the~~
14 ~~order or decree of adoption to obtain his or her lifetime license at one half of the adult fee set~~
15 ~~under the rule. The fees for lifetime licenses shall be 23 times the fee for the equivalent annual~~
16 ~~licenses or stamps.~~

17 (1) Forty percent of the adult fee set under rule for any resident who has not reached his
18 or her first birthday;

19 (2) Fifty-five percent of the adult fee set under rule for any resident who is over one year
20 old but has not reached his or her fifth birthday;

21 (3) Seventy-five percent of the adult fee set under rule for any resident who is over five
22 years old but has not reached his or her 10th birthday; and

23 (4) Ninety percent of the adult fee set under rule for any resident who is over 10 years old
24 but has not reached his or her 15th birthday.

25 The rule shall also provide that any resident who has not reached his or her 15th birthday
26 and has been legally adopted shall be provided the same fee schedule, except the division shall
27 use the date of entry of the order or decree of adoption as the licensee's date of birth for purposes
28 of calculating the appropriate fee: *Provided*, That in addition to the provisions of this subsection
29 for adopted children, foster parents may also purchase a lifetime license for their respective foster
30 children under the same guidelines, except the division shall use the date of entry of the order
31 placing the child in foster care as the licensee's date of birth for purposes of calculating the
32 appropriate fee.