

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

House Bill 2540

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COOPER, HANNA, BIBBY, HOTT AND BROWN, N.

[Introduced January 21, 2019; Referred
to the Committee on Agriculture and Natural
Resources then the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §20-2-5i, relating to prohibiting the waste of game animals, game birds or
 3 game fish and creating a misdemeanor with criminal penalties for the violations.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-5i. Waste of game animals, game birds or game fish; penalties.

1 (a) It is unlawful for any person to cause through carelessness, neglect or otherwise to let
 2 any edible portion of any big game or game fish to go to waste needlessly.

3 For the purposes of this section, “edible portion” means, with respect to:

4 (A) Big game-the meat of the front quarters to the knee, the meat of the hind quarters to
 5 the hock, and the meat along the backbone between the front quarters and hind quarters, except
 6 that, edible portion of a wild turkey is the meat of the breast only.

7 (B) Game fish-the fillet meat from the gill plate to the tail fin.

8 (C) Edible portion does not include bones, sinew, viscera, meat from the head or neck,
 9 meat that has been damaged or rendered inedible by method of taking, or meat that is reasonably
 10 lost as a result of boning or close trimming of bones.

11 (b) It is unlawful for any person to take any big game and detach or remove from the
 12 carcass the head, hide, antlers, tusks, paws, claws, gallbladder, teeth, beards, or spurs only and
 13 leave the carcass to waste.

14 (c) Any person violating the provisions of this section is guilty of a misdemeanor and, upon
 15 conviction thereof, shall be subject to the following penalties, with respect to:

16 (1) Big game violations:

17 (A) A fine of not less than \$500 nor more than \$2,500, or confinement in jail not less than
 18 10 days nor more than 100 days, or both fined and confined.

19 (B) Suspension of hunting and fishing license for five years.

- 20 (C) All applicable forfeiture and replacement provisions in §20-2-5a of this code.
- 21 (2) Game fish violations:
- 22 (A) A fine of not less than \$100 nor more than \$500, or confinement in jail not less than
- 23 10 days nor more than 100 days, or both fined and confined.
- 24 (B) Suspension of hunting and fishing license for two years.
- 25 (C) All applicable forfeiture and replacement provisions in §20-2-5a of this code.

NOTE: The purpose of this bill is to prohibit the waste of big game animals and game fish, and create a misdemeanor with criminal penalties for the violation thereof.

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