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HOUSE BILL NO. 2098

House Amendments in [] — January 26, 2001

A BILL to amend the Code of Virginia by adding a section numbered 29.1-523.1, relating to use of firearms equipped with sights when hunting deer after dark; penalty.

Patron Prior to Engrossment—Delegate Abbitt

Referred to Committee on Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 29.1-523.1 as follows:

§ 29.1-523.1. Hunting deer with sights after dark; forfeiture of weapon and sighting device.

A. Any person who kills or attempts to kill any deer between one hour after sunset and one hour before sunrise using a firearm equipped with any sighting device other than iron or open sights shall be guilty of a Class 2 misdemeanor. In addition to this penalty, the court shall revoke the current hunting license, if any, of the person convicted of violating this section and prohibit the issuance of any hunting license to that person for the next license year. [~~If found hunting during this prohibited period, the person shall be guilty of a Class 2 misdemeanor.~~] Notification of such revocation or prohibition shall be forwarded to the Department pursuant to subsections C and D of § 18.2-56.1.

B. Every firearm equipped with any sighting device other than iron or open sights used with the knowledge or consent of the owner in violation of this section shall be forfeited to the Commonwealth. Upon being condemned as forfeited in proceedings under Chapter 22 (§ 19.2-369 et seq.) of Title 19.2, the proceeds of the sale shall be disposed of according to law.

This section shall not apply to persons duly authorized to kill deer according to the provisions of § 29.1-529.

ENGROSSED

HB2098E