

# 2001 SESSION

INTRODUCED

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## HOUSE BILL NO. 2237

Offered January 10, 2001

Prefiled January 10, 2001

*A BILL to amend and reenact § 29.1-525 of the Code of Virginia, relating to the spotlighting of deer.*

Patrons—Hargrove; Senator: Bolling

Referred to Committee on Conservation and Natural Resources

### Be it enacted by the General Assembly of Virginia:

#### 1. That § 29.1-525 of the Code of Virginia is amended and reenacted as follows:

§ 29.1-525. Employment of lights under certain circumstances upon places used by deer.

A. Any person in any vehicle and then in possession of any rifle, shotgun, pistol, crossbow, bow and arrow or speargun who *intentionally* employs a light attached to the vehicle *in such a manner not necessary for normal operation of the vehicle to avoid obstacles or negotiate curves in the roadway* or a spotlight or flashlight to cast a light beyond the water or surface of the roadway upon any place used by deer shall be guilty of a Class 2 misdemeanor. Every person in or on any such vehicle shall be deemed prima facie a principal in the second degree and subject to the same punishment as a principal in the first degree. This subsection shall not apply to a landowner in possession of a weapon when he is on his own land and is making a bona fide effort to protect his property from damage by deer and not for the purpose of killing deer unless the landowner is in possession of a permit to do so pursuant to the provisions of § 29.1-529.

B. Any person in any motor vehicle who deliberately employs a light attached to such vehicle or a spotlight or flashlight to cast a light beyond the surface of the roadway upon any place used by deer, except upon his own land or upon land on which he has an easement or permission for such purpose, shall be guilty of a Class 4 misdemeanor. Every person in or on any such vehicle shall be deemed prima facie a principal in the second degree and subject to the same punishment as a principal in the first degree.

C. In addition to the penalties prescribed in subsection A of this section, the court shall revoke the current hunting license, if any, of the person convicted of a violation of subsection A of this section and prohibit the issuance of any hunting license to that person for the next license year. In addition to the penalties prescribed in subsection B of this section, the court may revoke the current hunting license, if any, of the person convicted of a violation of subsection B of this section and prohibit the issuance of any hunting license to that person for the next license year. If a person convicted of a violation of subsection A or subsection B of this section is found hunting during the 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.

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HB2237