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**HOUSE BILL NO. 2102**

House Amendments in [ ] - January 28, 2005

A *BILL to amend and reenact § 29.1-530.1 of the Code of Virginia, relating to an exception to wearing blaze orange.*

Patron Prior to Engrossment—Delegate Hugo

Referred to Committee on Agriculture, Chesapeake and Natural Resources

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

**1. That § 29.1-530.1 of the Code of Virginia is amended and reenacted as follows:**

§ 29.1-530.1. Blaze orange clothing required at certain times.

During any firearms deer season, except during the special season for hunting deer with a muzzle-loading rifle only, in counties and cities designated by the Board, every hunter, or any person accompanying a hunter, shall wear a blaze orange hat, except that the bill or brim of the hat may be a color or design other than solid blaze orange, or blaze orange upper body clothing that is visible from 360 degrees or display at least 100 square inches of solid blaze orange material at shoulder level within body reach visible from 360 degrees.

Any person violating the provisions of this section shall, upon conviction, pay a fine of ~~twenty-five~~ ~~dollars~~ \$25.

Violations of this section shall not be admissible in any civil action for personal injury or death as evidence of negligence, contributory negligence or assumption of the risk.

This section shall not apply when (i) hunting waterfowl from stationary or floating blinds, (ii) hunting waterfowl over decoys, (iii) hunting waterfowl in wetlands as defined in § 28.2-1300, (iv) hunting waterfowl from a boat or other floating conveyance, (v) participating in hunting dog field trials permitted by the Board of Game and Inland Fisheries, ~~or~~ (vi) on horseback while hunting foxes with hounds but without firearms, or (vii) *hunting with a bow and arrow in areas where the discharge of firearms is prohibited [ by state law or local ordinance ]* .

ENGROSSED

HB2102E