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## HOUSE BILL NO. 1218

Offered January 14, 2010

A BILL to amend and reenact §§ 29.1-344 and 29.1-345 of the Code of Virginia, relating to waterfowl blinds.

Patron—Pollard

Referred to Committee on Agriculture, Chesapeake and Natural Resources

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

**1. That §§ 29.1-344 and 29.1-345 of the Code of Virginia are amended and reenacted as follows:**

§ 29.1-344. Stationary blinds on shore and in the public waters for owners of riparian rights.

Each year, the owners of riparian rights, their lessees or permittees shall have the exclusive privilege of licensing and erecting stationary blinds on their shoreline, and the prior right of licensing and erecting stationary blinds in the public waters in front of their shoreline, to shoot waterfowl over the public waters. Such blinds shall not be located in water having a depth greater than eight feet at mean high tide, nor shall they be located further than halfway across the body of water from the riparian owner's shoreline. When such a license has been obtained and a stake or a stationary blind has been erected on the site with the license for that season properly affixed, no other stationary or floating blind shall be located in the public waters within 500 yards of the licensed site without the consent of the riparian owner, lessee or permittee. Riparian owners, their lessees or permittees may obtain licenses on and after ~~July~~ May 1 and on or before ~~August 31~~ June 15 of each year. A stake or a stationary blind shall be erected on the site, and a license plate supplied with the license for that season shall be affixed thereto by ~~August 31~~ June 30. If a stake has been erected on the site of a stationary blind, such stake must be replaced by a blind by November 1 pursuant to the provisions of § 29.1-341. Such stationary blinds shall conform to the standards prescribed in § 29.1-341.

§ 29.1-345. Stationary blinds in the public waters for nonriparian owners.

Unless a license has been obtained pursuant to § 29.1-344, and a stake or a blind has been erected and marked within the time stated as specified in that section, in any year, the owners of riparian rights, their lessees or permittees shall forfeit the privilege of licensing blinds on their shores and also lose priority for licensing stationary blinds in the public waters adjoining such shores. Any locations remaining in the public waters shall belong to whoever first obtains a license and erects a stake or a blind. The blind cannot be located in water having a greater depth than eight feet at mean high tide on the site selected. In addition, the blind must be at least 500 yards from any other stationary blind, and the license for that season must be properly affixed to the structure. The nonriparian license for a stationary blind in the public waters *previously licensed the year before* may be obtained on and after July 1 and on or before ~~September 30~~ August 15. A stake or blind shall be erected on the site, and a license plate supplied with the license for that season must be affixed thereto by ~~October 10~~ August 31. *The nonriparian license for a stationary blind in the public waters not previously licensed the year before may be obtained on and after September 1 and on or before October 15. A stake or blind shall be erected on the site and a license plate supplied with the license for that season must be affixed thereto. If a stake has been erected on the site of a stationary blind, such stake must be replaced by a blind by November 1 pursuant to the provisions of § 29.1-341. Such stationary blinds shall conform to the standards prescribed in § 29.1-341.*

**2. That the provisions of this act shall become effective on January 1, 2011.**

INTRODUCED

HB1218