

## 2012 SESSION

INTRODUCED

12100879D

### HOUSE BILL NO. 258

Offered January 11, 2012

Prefiled January 10, 2012

A *BILL to amend and reenact § 28.2-302 of the Code of Virginia, relating to net fishing in the vicinity of a commercial fishing pier; regulation.*

Patron—Stolle

Referred to Committee on Agriculture, Chesapeake and Natural Resources

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

#### **1. That § 28.2-302 of the Code of Virginia is amended and reenacted as follows:**

§ 28.2-302. Commercial fishing pier; license fee; penalty.

A. The owner of a commercial fishing pier shall pay an annual license fee of \$50 or as subsequently revised by the Commission pursuant to § 28.2-201 for each pier that is over or upon the subaqueous beds of the Commonwealth.

B. Net fishing shall not be permitted within 300 yards of the sides or end of a commercial fishing pier. The Commission ~~may decrease this distance if it considers 300 yards to be an excessive distance because of the size of the body of water where the pier is located~~ *is authorized to adopt regulations increasing this distance to as much as 1,000 yards and otherwise restricting the use of nets in the vicinity of commercial fishing piers as it deems necessary.* A violation of this subsection is a Class 3 misdemeanor.

C. The construction or erection of a commercial fishing pier on a subaqueous bed of the Commonwealth is subject to the permit requirements of § 28.2-1203.

D. For purposes of this section, a commercial fishing pier means any pier whose primary purpose is to allow fishing by the public for a fee. A public fishing pier operated by a political subdivision shall be considered to be a commercial fishing pier, although no fee is charged.

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