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HOUSE BILL NO. 564

Offered January 10, 2018

Prefiled January 8, 2018

A *BILL to amend and reenact § 29.1-530.1 of the Code of Virginia, relating to hunting apparel; hunting from an enclosed blind; solid blaze orange or solid blaze pink.*

Patron—Edmunds

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. Solid blaze orange or solid blaze pink clothing required at certain times.**

A. *For the purposes of this section, "solid blaze orange" means a safety orange or fluorescent orange hue and "solid blaze pink" means a safety pink or fluorescent pink hue.*

B. 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 and every person accompanying a hunter shall (i) wear a *solid blaze orange or solid blaze pink* hat, except that the bill or brim of the hat may be a color or design other than solid blaze orange or *solid blaze pink*, or *solid blaze orange or solid blaze pink* upper body clothing that is visible from 360 degrees or, (ii) display at least 100 square inches of solid blaze orange or *solid blaze pink* material at shoulder level within body reach visible from 360 degrees, or (iii) *when hunting from an enclosed blind, display at least 100 square inches of solid blaze orange or solid blaze pink material visible from 360 degrees attached to or immediately above a blind.*

~~B.~~ C. During the special season for hunting deer with a muzzle-loading rifle only, in counties and cities designated by the Board, every muzzleloader deer hunter and every person accompanying a muzzleloader deer hunter shall *wear* (i) ~~wear~~ a *solid blaze orange or solid blaze pink* hat, except that the bill or brim of the hat may be a color or design other than solid blaze orange or *solid blaze pink*, or (ii) *solid blaze orange or solid blaze pink* upper body clothing, either of which shall be visible from 360 degrees, unless such person is physically located in a tree stand or other stationary hunting location.

~~C.~~ D. Any person violating the provisions of this section shall, upon conviction, pay a fine of \$25.

~~D.~~ E. 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.

~~E.~~ F. 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) hunting doves, (vi) participating in hunting dog field trials permitted by the Board of Game and Inland Fisheries, (vii) on horseback while hunting foxes with hounds but without firearms, or (viii) hunting with a bow and arrow in areas where the discharge of firearms is prohibited by state law or local ordinance.

INTRODUCED

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