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HOUSE BILL NO. 857**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources
on January 29, 2014)

(Patron Prior to Substitute—Delegate Fariss)

A BILL to amend and reenact § 29.1-530.1 of the Code of Virginia, relating to wearing blaze orange during muzzle-loading rifle season.

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~~ and every 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.

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 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, except when any such person is physically located in a tree stand or other stationary hunting location.

Any person violating the provisions of this section shall, upon conviction, pay a fine of \$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) 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.