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HOUSE BILL NO. 449

Offered January 8, 2020

Prefiled January 3, 2020

A BILL to amend and reenact §§ 29.1-338, 29.1-530.2, 29.1-546, and 29.1-550 of the Code of Virginia, relating to unlawful hunting, trapping, or fishing; prohibition upon conviction.

Patrons—Fowler; Senator: Morrissey

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That §§ 29.1-338, 29.1-530.2, 29.1-546, and 29.1-550 of the Code of Virginia are amended and reenacted as follows:

§ 29.1-338. Revocation of license and privileges; penalties.

If any person is found guilty of violating (i) any of the provisions of the hunting, trapping, or inland fish laws, any ~~provisions~~ *provision* of §§ 15.2-915.2, 15.2-1209.1, 18.2-131 through 18.2-136 ~~and, or §§~~ 18.2-285 through 18.2-286.1, or any ~~regulations~~ *regulation* adopted by the Board pursuant thereto, a second time within three years of a previous conviction of violating any such law or regulation, or (ii) any ~~provisions~~ *provision* of law or ordinance governing the dumping of refuse, trash, or other litter; while engaged in hunting, trapping, or fishing, such license and privileges shall be revoked by the court trying the case and ~~that~~ *such* person shall not apply for a new license or exercise such privileges until 12 months succeeding the date of conviction. The court may also prohibit the convicted person from hunting, fishing, or trapping in the Commonwealth for a period of one to five years. If found hunting, trapping, or fishing during ~~this~~ *such* prohibited period, the person ~~shall be~~ *is* guilty of a Class 2 misdemeanor ~~and may also be prohibited by the court from hunting, fishing, or trapping for an additional period of one to five years.~~ Licenses revoked shall be sent to the Director.

§ 29.1-530.2. Unlawfully killing bear; penalty.

Any person who kills or attempts to kill a bear in violation of any provision of this article or ~~of a~~ *any* regulation adopted thereunder ~~shall be~~ *is* guilty of a Class 1 misdemeanor ~~and may also be prohibited by the court from hunting, trapping, or fishing in the Commonwealth for a period of one to five years.~~

§ 29.1-546. General penalty.

Any person convicted of violating any of the provisions of this title shall, unless otherwise specified, be guilty of a Class 2 misdemeanor ~~and may also be prohibited by the court from hunting, trapping, or fishing in the Commonwealth for a period of one to five years.~~

§ 29.1-550. Taking game or fish during closed season or exceeding bag limit.

It ~~shall be~~ *is* unlawful for any person to (i) take, or attempt to take, any wild bird, wild animal, or fish during the closed season; (ii) exceed the bag or creel limit for any wild bird, wild animal, or fish; or (iii) possess over the daily bag or creel limit for any wild bird, wild ~~animals~~ *animal*, or fish while in the forests, fields, or waters of the Commonwealth. Any person convicted of violating any provisions of this section ~~shall be~~ *is* guilty of a Class 2 misdemeanor ~~and may also be prohibited by the court from hunting, trapping, or fishing in the Commonwealth for a period of one to five years.~~

INTRODUCED

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