

2020 SESSION

SENATE SUBSTITUTE

20106832D

SENATE BILL NO. 772

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Stanley
on January 27, 2020)

(Patron Prior to Substitute—Senator Stanley)

A BILL to amend and reenact § 29.1-540 of the Code of Virginia, relating to transportation of bait fish for sale; penalty.

Be it enacted by the General Assembly of Virginia:

1. That § 29.1-540 of the Code of Virginia is amended and reenacted as follows:

§ 29.1-540. Carriage and shipment.

A. When taken in accordance with the provisions of this title, wild birds, wild animals, or fish may be transported as follows:

1. By any person properly licensed, for lawful use in or out of the county or city where taken to another county or city in the Commonwealth or to another state during the open season in the county or city where taken.

2. By any properly licensed person via freight, express, parcel post, or airplane mail, as a gift and not for market or sale, and so stating on the shipping tag. The wild bird, wild animal, or fish may be transported in or out of the county or city where taken to another county or city in ~~this the~~ Commonwealth, or to another state, during the open season in the county or city where taken. Any package in which birds, animals, or fish are transported shall have the name and address of the shipper and consignee and a statement of the numbers and kinds of birds, animals, or fish being transported clearly and conspicuously marked on the outside of the container.

B. It is unlawful to transport for sale outside of the Commonwealth at any time or in any manner any river herring, alewife, threadfin shad, or gizzard shad collected from the inland waters for use as bait fish. A violation of the provisions of this subsection is a Class 1 misdemeanor.

C. Any such birds, animals, or fish in transit during the open season may continue in transit, not to exceed five days, in order to reach their destination.

D. For the purposes of this section, the terms "wild birds," "wild animals," and "fish" shall mean all or any part of the carcasses of any such birds, animals, or fish.

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