



WEST VIRGINIA SECRETARY OF STATE

KRIS WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

7/25/2025 1:30:15 PM

Office of West Virginia
Secretary Of State

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-
MAKING REVIEW COMMITTEE**

AGENCY: Natural Resources TITLE-SERIES: 58-14
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: Yes
RULE NAME: 58-14 Rules Governing Small Arms Hunting

PRIMARY CONTACT

NAME: Wendy L Greene
ADDRESS: 112 California Avenue
Charleston, WV 25305
EMAIL: wendy.l.greene@wv.gov
PHONE NUMBER: 304-558-2754

CITE STATUTORY AUTHORITY: §20-1-7(30)

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

§20-1-7(30) was the former code location providing rule making authority to the Director of the Division of Natural Resources. That section has been revised since this rule was made effective and the current code section is §20-1-7(31).

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 6/24/2025

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/24/2025

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

The agency provided notice of the public comment period via press release and social media.

SUMMARY OF THE CONTENT OF THE LEGISLATIVE RULE, AND A DETAILED DESCRIPTION OF THE RULE'S PURPOSE AND ALL PROPOSED CHANGES TO THE RULE:

This rule establishes regulations for hunting with small arms (pistols or revolvers) in West Virginia.

STATEMENT OF CIRCUMSTANCES WHICH REQUIRE THE RULE:

The proposed changes repeal this rule. Following the passage of HB 2387 which repealed §20-2-42 and a legislative rule change that removed caliber restrictions on nighttime coyote hunting, this rule required a revision which would remove nearly the entire body of the rule. It was then determined it would simplify regulations to repeal this series and incorporate the remaining relevant regulations into 58CSR47 - Hunting and Trapping Prohibitions.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED LEGISLATIVE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

There is no economic impact on the revenues of state government anticipated.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

There is no economic impact on special revenue accounts anticipated.

C. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

There is no economic impact on the state or its residents anticipated.

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2025 Increase/Decrease (use "-")	2026 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0	0	0
Personal Services	0	0	0
Current Expenses	0	0	0
Repairs and Alterations	0	0	0
Assets	0	0	0
Other	0	0	0
2. Estimated Total Revenues	0	0	0

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

There are no economic impacts on expenses or revenues anticipated.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes
Emily Rector -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

**TITLE 58
LEGISLATIVE RULE
BUREAU OF COMMERCE
DIVISION OF NATURAL RESOURCES**

**SERIES 14
RULES GOVERNING SMALL ARMS HUNTING**

~~§58-14-1. General.~~

~~— 1.1. Scope. — This rule establishes regulations for hunting with small arms (pistol or revolver) in West Virginia.~~

~~— 1.2. Authority. — W. Va. Code §20-1-7(30).~~

~~— 1.3. Filing Date. — April 3, 2002.~~

~~— 1.4. Effective Date. — April 3, 2002.~~

~~§58-14-2. General Small Arms Hunting Rules.~~

~~— 2.1. No person shall hunt deer, bear or wild boar with any pistol or revolver using a straight walled case of less than .357 magnum cartridge, a bottle necked case of less than .24 caliber, or a muzzle-loading pistol of less than .38 caliber.~~

~~— 2.2. It is lawful to hunt woodchuck in the open fields with a pistol or revolver.~~

~~— 2.3. It is unlawful to hunt between one-half (½) hour after sunset and one half (½) hour before sunrise with any pistol or revolver larger than .22 caliber.~~

~~§58-14-3. Penalties.~~

~~— 3.1. Any person violating the provisions of this rule is subject to the penalties outlined in W. Va. Code §20-7-9.~~