

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4686

By Delegate McGeehan and Holstein

[Introduced January 12, 2024; Referred
to the Committee on Agriculture and Natural
Resources then Judiciary]

21 or wild animal for the purposes of hunting, trapping, or killing;

22 (6) Take any beaver or muskrat by any means other than a trap;

23 (7) Catch, capture, take, hunt, or kill by seine, net, bait, trap, or snare or like device a wild
24 turkey, ruffed grouse, pheasant, or quail;

25 (8) Intentionally destroy or attempt to destroy the nest or eggs of any wild bird or have in his
26 or her possession the nest or eggs;

27 (9) Carry an uncased or loaded firearm in the woods of this state or in state parks, state
28 forests, state wildlife management areas, or state rail trails with the following permissible
29 exceptions:

30 (A) A person in possession of a valid license or permit during open firearms hunting season
31 for wild animals and nonmigratory wild birds where hunting is lawful;

32 (B) A person hunting or taking unprotected species of wild animals, wild birds, and
33 migratory wild birds during the open season, in the open fields, open water, and open marshes of
34 the state where hunting is lawful;

35 (C) A person carrying a firearm pursuant to §20-2-6 of this code;

36 (D) A person carrying a firearm for self-defense who is not prohibited from possessing
37 firearms under state or federal law; or

38 (E) A person carrying a rifle or shotgun for self-defense who is not prohibited from
39 possessing firearms under state or federal law: *Provided*, That this exception does not apply to an
40 uncased rifle or shotgun carried specifically in state park or state forest recreational facilities and
41 marked trails within state park or state forest borders.

42 (10) Hunt, catch, take, kill, injure, or pursue a wild animal or wild bird with the use of a
43 ferret;

44 (11) Buy raw furs, pelts, or skins of fur-bearing animals unless licensed to do so;

45 (12) Catch, take, kill, or attempt to catch, take, or kill any fish by any means other than by
46 rod, line, and hooks with natural or artificial lures, unless otherwise authorized by the director:

47 *Provided*, That snaring of any species of sucker, carp, fallfish, and creek chub and catching catfish
48 by hand are lawful if done by a holder of a valid license issued pursuant to §20-2-1 et seq. of this
49 code or is exempted from licensure pursuant to §20-2-27 or §20-2-28 of this code;

50 (13) Employ, hire, induce, or persuade, with money, things of value, or by any means, any
51 person to hunt, take, catch, or kill any wild animal or wild bird except those species in which there
52 is no closed season; or to fish for, catch, take, or kill any fish, amphibian, or aquatic life that is
53 protected by rule, or the sale of which is otherwise prohibited;

54 (14) Hunt, catch, take, kill, capture, pursue, transport, possess, or use any migratory game
55 or nongame birds except as permitted by the Migratory Bird Treaty Act, 16 U.S.C. §703 et seq.,
56 and its regulations;

57 (15) Kill, take, catch, sell, transport, or have in his or her possession, living or dead, any
58 wild bird other than a game bird, including the plumage, skin, or body of any protected bird,
59 irrespective of whether the bird was captured in or out of this state, except the English or European
60 sparrow (*Passer domesticus*), starling (*Sturnus vulgaris*), and cowbird (*Molothrus ater*), which
61 may be killed at any time;

62 (16) Use dynamite, explosives, or any poison in any waters of the state for the purpose of
63 killing or taking fish. Any person violating this subdivision is guilty of a felony, and upon conviction
64 thereof, shall be fined not more than \$500 or confined for not less than six months nor more than
65 three years, or both fined and confined;

66 (17) Have a bow and gun, or have a gun and any arrow, in the fields or woods at the same
67 time;

68 (18) Have a crossbow in the woods or fields, or use a crossbow to hunt, take, or attempt to
69 take any wildlife except as otherwise provided in §20-2-5g and §20-2-42w of this code;

70 (19) Take or attempt to take turkey, bear, elk, or deer with any arrow unless the arrow is
71 equipped with a point having at least two sharp cutting edges measuring in excess of three-fourths
72 of an inch wide;

73 (20) Take or attempt to take any wildlife with an arrow having an explosive head or shaft, a
74 poisoned arrow, or an arrow which would affect wildlife by any chemical action;

75 (21) Shoot an arrow across any public highway;

76 (22) Permit any dog owned or under his or her control to chase, pursue, or follow the tracks
77 of any wild animal or wild bird, day or night, between May 1 and August 15: Provided, That dogs
78 may be trained on wild animals and wild birds, except deer and wild turkeys, and field trials may be
79 held or conducted on the grounds or lands of the owner, or by his or her bona fide tenant, or upon
80 the grounds or lands of another person with his or her written permission, or on public lands at any
81 time. Nonresidents may not train dogs in this state at any time except during the legal small game
82 hunting season. A person training dogs may not have firearms or other implements for taking
83 wildlife in his or her possession during the closed season on wild animals and wild birds, except a
84 person carrying a firearm for self-defense who is not prohibited from possessing firearms under
85 state or federal law;

86 (23) Conduct or participate in a trial, including a field trial, shoot-to-retrieve field trial, water
87 race, or wild hunt: *Provided*, That any person, group of persons, club, or organization may hold a
88 trial upon obtaining a permit pursuant to §20-2-56 of this code. The person responsible for
89 obtaining the permit shall prepare and keep an accurate record of the names and addresses of all
90 persons participating in the trial and make the records readily available for inspection by any
91 natural resources police officer upon request;

92 (24) Hunt, catch, take, kill, or attempt to hunt, catch, take, or kill any wild animal, wild bird,
93 or wild fowl except during open seasons;

94 (25) Hunt or conduct hunts for a fee when the person is not physically present in the same
95 location as the wildlife being hunted within West Virginia; and

96 (26) Catch, take, kill, or attempt to catch, take, or kill any fish by any means within 200 feet
97 of division personnel engaged in stocking fish in public waters.

98 (b) Notwithstanding any ballot measure relating to Sunday hunting, it is lawful to hunt

99 throughout the State of West Virginia on private lands on Sundays with the written consent of the
100 private landowner pursuant to §20-2-7 of this code, and it is lawful to hunt throughout the State of
101 West Virginia on federal land where hunting is permitted, in state forests, on land owned or leased
102 by the state for wildlife purposes, and on land managed by the state for wildlife purposes pursuant
103 to a cooperative agreement.

NOTE: The purpose of this bill is to permit year-round hunting of coyotes using artificial light or night vision technology and to permit hunting of coyotes at any hour.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.