

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5231

By Delegate Burkhammer

[Introduced January 26, 2024; Referred to the
Committee on Agriculture and Natural Resources
then Government Organization]

1 A BILL to amend and reenact §20-2-5j of the Code of West Virginia, 1931, as amended, relating to
 2 the use of leashed dogs for tracking mortally wounded deer, elk, turkey, wild boar, or bear;
 3 and providing that only one leashed dog may be used for this tracking.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-5j. Leashed dogs for tracking mortally wounded deer, elk, turkey, wild boar, or bear.

1 (a) Notwithstanding any provision of this chapter to the contrary, a person who is legally
 2 hunting and reasonably believes he or she has mortally wounded a deer, elk, turkey, wild boar, or
 3 bear may use a leashed dogs dog to track and locate the mortally wounded deer, elk, turkey, wild
 4 boar, or bear. The hunter is also permitted to use a dog handler or dog handlers of a leashed dogs
 5 dog to track and locate the mortally wounded deer, elk, turkey, wild boar, or bear. The hunter or the
 6 dog handler shall always maintain physical control of the leashed ~~dogs~~ dog. Only one leashed dog
 7 per hunter or dog handler may be used to track a mortally wounded deer, elk, turkey, wild boar, or
 8 bear.

9 (b) The act of tracking a mortally wounded deer, elk, turkey, wild boar, or bear with a dog is
 10 hunting and the hunter and handler are subject to all applicable laws and rules. It is unlawful for a
 11 hunter or dog handler to track deer, elk, turkey, wild boar, or bear with leashed dogs under the
 12 provisions of this section unless he or she is in possession of a valid hunting license issued
 13 pursuant to this article or is a person excepted from licensing requirements pursuant to this article,
 14 and all other lawful authorizations as prescribed in this article. The hunter shall accompany the
 15 dog handler and only the hunter may kill a mortally wounded deer, elk, turkey, wild boar, or bear.
 16 However, any hunter who is physically unable to accompany the handler in the tracking and
 17 locating of the mortally wounded deer, elk, wild turkey, boar, or bear may designate the handler to
 18 kill the deer, elk, wild turkey, boar, or bear when located by the handler. The deer, elk, turkey, wild
 19 boar, or bear shall count toward the bag limit of the hunter who fired the initial shot.

20 (c) Any dog handler providing tracking services for profit must be licensed as an outfitter or

21 guide pursuant to §20-2-23 of this code.

NOTE: The purpose of this bill is to provide that only one leashed dog may be used for tracking mortally wounded deer, elk, turkey, wild boar, or bear.

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