

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5531

By Delegate Burkhammer

[Introduced February 16, 2026; referred to the
Committee on Government Organization]

1 A BILL to amend and reenact §20-2-5j of the Code of West Virginia, 1931, as amended, relating to
2 clarifying certain hunting and tracking requirements.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-5j. Leashed dogs and unmanned aerial vehicles for tracking or locating 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 dog or a unmanned aerial vehicles as defined in West Virginia Code §61-
4 16-1(3) (hereafter "UAV") or both, to track and locate the mortally wounded deer, elk, turkey, wild
5 boar, or bear. The hunter is also permitted to use a dog handler of a leashed dog and/or a licensed
6 UAV operator to track and locate the mortally wounded deer, elk, turkey, wild boar, or bear. The
7 hunter or the dog handler shall always maintain physical control of the leashed dog. Only one
8 leashed dog per handler may be used and, if the hunter is using a dog handler, the hunter may not
9 handle additional dogs for the handler.

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

21 recovery of a mortally wounded deer, bear, elk, turkey, or boar, at the request of the hunter who
22 lawfully shot the animal, shall be permitted to humanely dispatch the animal with the weapon in
23 season when necessary to prevent unnecessary suffering, ensure public safety, or complete the
24 lawful recovery of the mortally wounded game. The dispatched deer, elk, turkey, wild boar, or bear
25 shall count toward the bag limit of the hunter who fired the initial shot. Provided, That a licensed
26 outfitter, or dog handler or guide working under a licensed outfitter's license may dispatch mortally
27 wounded game with a pistol during any season for self defense of the leashed dog or dog handler,
28 or when necessary to prevent unnecessary suffering of the wounded animal. At no time may a
29 UAV operator dispatch or direct a hunter to dispatch a mortally wounded deer, bear, boar, elk, or
30 turkey.

31 (c) Any dog handler or any UAV operator providing tracking services for profit must be
32 licensed as an outfitter or guide pursuant to §20-2-23 of this code. Any UAV operator not operating
33 on property they own or lease must be licensed according to FAA Part 107. Any dog handler or
34 UAV operator advertising wounded game recovery services must be a licensed outfitter or guide.
35 The Director shall provide a list of licensed outfitters and guides who provide dog tracking or UAV
36 tracking services pursuant to this section to the public. ~~prior to September 1st of each year.~~

NOTE: The purpose of this bill is to clarify certain hunting and tracking requirements.

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