

# **WEST VIRGINIA LEGISLATURE**

**2023 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 200**

By Senators Hamilton, Roberts, and Jeffries

[Originating in the Committee on Agriculture and  
Natural Resources; reported on January 17, 2023]

1 A BILL to amend and reenact §20-2-5j of the Code of West Virginia, 1931, as amended, relating to  
2 adding mortally wounded elk, turkey, wild boar, and bear to list of wounded animals that  
3 may be tracked and located using a leashed dog; allowing Class Q permit holders or certain  
4 physically disabled hunters to designate another hunter who holds a valid hunting license  
5 to accompany dog handler to kill mortally wounded animal; and providing that mortally  
6 wounded animal shall count toward bag limit of hunter who fired initial shot.

*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 leashed dogs to track and locate the mortally wounded deer, elk, turkey, wild boar, or  
4 bear. The hunter is also permitted to use a dog handler of leashed dogs to track and locate the  
5 mortally wounded deer, elk, turkey, wild boar, or bear. The hunter or the dog handler shall always  
6 maintain physical control of the leashed dogs.

7 (b) The act of tracking a mortally wounded deer, elk, turkey, wild boar, or bear with a dog is  
8 hunting and the hunter and handler are subject to all applicable laws and rules. It is unlawful for a  
9 hunter or dog handler to track deer, elk, turkey, wild boar, or bear with leashed dogs under the  
10 provisions of this section unless he or she is in possession of a valid hunting license issued  
11 pursuant to this article or is a person excepted from licensing requirements pursuant to this article,  
12 and all other lawful authorizations as prescribed in this article. The hunter shall accompany the  
13 dog handler and only the hunter may kill a mortally wounded deer, elk, turkey, wild boar, or bear.  
14 However, any hunter who holds a Class Q permit or who meets one of the conditions listed in §20-  
15 2-46e(b) of this code and submits to the division the certification provided for in §20-2-46e(c) of  
16 this code may designate another hunter who holds a valid hunting license to accompany the dog  
17 handler to kill a mortally wounded deer, elk, turkey, wild boar, or bear. The deer, elk, turkey, wild

18 boar, or bear shall count toward the bag limit of the hunter who fired the initial shot.

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

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