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HOUSE BILL NO. 2689

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources
on January 29, 2003)

(Patron Prior to Substitute—Delegate Bell)

A BILL to amend and reenact §§ 3.1-796.124 and 3.1-796.125 of the Code of Virginia, relating to dogfighting; penalties.

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.1-796.124 and 3.1-796.125 of the Code of Virginia are amended and reenacted as follows:

§ 3.1-796.124. Dogfighting; penalty.

A. No person shall knowingly do any of the following:

1. Promote, engage in, or be employed in the fighting of dogs for amusement, sport or gain;

2. Wager money or anything of value on the result of such fighting;

3. Receive money or anything of value for the admission of another person to a place for dogfighting; or

4. Possess, own, train, transport, or sell any dog with the intent that such dog engage in an exhibition of fighting with another dog; or

5. Permit any act described in subdivisions 1 through 3 4 of this subsection on any premises under his charge or control, or aid or abet any such act.

B. Any animal control officer, as defined in § 3.1-796.66, shall confiscate any dogs that have been, are, or are intended to be used in dogfighting and any equipment used in training such dogs or used in dogfighting.

C. Any person convicted of violating this section may be prohibited by the court from possession or ownership of other companion animals.

D. Any person who violates any provision of this section shall be guilty of a Class 6 felony.

E. In addition to any other fines and costs, any person who is convicted of violation of this section shall pay all reasonable costs incurred in housing or euthanizing any confiscated dogs.

§ 3.1-796.125. Fighting cocks or other animals; attendance at fighting; penalty.

A. Any person engaging in the fighting of cocks or other animals, except dogs, for money, prize or anything of value, or betting or wagering money or anything of value on the result of such fight, shall be guilty of a Class 3 misdemeanor.

B. Attendance at the fighting of cocks, ~~dogs~~ or other animals, *except dogs*, where an admission fee is charged, directly or indirectly, shall ~~also~~ constitute a Class 3 misdemeanor.

C. Attendance at the fighting of dogs shall constitute a Class 1 misdemeanor.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0 for periods of imprisonment in state adult correctional facilities and \$0 for periods of commitment to the custody of the Department of Juvenile Justice.