

2004 SESSION

INTRODUCED

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SENATE BILL NO. 261

Offered January 14, 2004

Prefiled January 14, 2004

A BILL to amend the Code of Virginia by adding a section numbered 29.1-508.1, relating to the use of drugs on vertebrate wildlife; penalty.

Patrons—Hawkins; Delegate: Marshall, D.W.

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 29.1-508.1 as follows:

§ 29.1-508.1. Use of drugs on vertebrate wildlife.

A. Without written authorization from the Director or his designee, it is unlawful to administer any drug to any vertebrate wildlife, except in accordance with a permit issued under the provisions of this title or regulations adopted by the Board. This prohibition shall include, but not be limited to, drugs used for fertility control, disease prevention or treatment, immobilization, or growth stimulation. Nothing in this section shall prohibit the treatment of sick or injured wild animals by licensed veterinarians or permitted wildlife rehabilitators. This section shall not limit employees of agencies of the Commonwealth, the United States, or local animal control officers in the performance of their official duties related to public health, wildlife management, or wildlife removal. For the purposes of this section, the term "drug" means any chemical substance, other than food, that affects the structure or biological function of wildlife species.

B. The Department may take possession and dispose of any vertebrate wildlife if it believes that drugs have been administered to such wildlife in violation of this section.

C. Any person violating this section is guilty of a Class 2 misdemeanor.

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