

072576224

HOUSE BILL NO. 2714

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources
on January 24, 2007)

(Patron Prior to Substitute—Delegate Barlow)

A BILL to amend and reenact §§ 3.1-763.5:1, 3.1-763.5:2 and 3.1-763.5:8 of the Code of Virginia, relating to illegal shooting enclosures; penalty.

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.1-763.5:1, 3.1-763.5:2 and 3.1-763.5:8 of the Code of Virginia are amended and reenacted as follows:

§ 3.1-763.5:1. Definitions.

As used in this article, unless the context requires a different meaning:

"Board" means the Board of Agriculture and Consumer Services.

"Department" means the Department of Agriculture and Consumer Services.

"Shooting enclosure" or "enclosure" means any fenced area (i) open commercially to the public or (ii) any private facility where animals are held for the purpose of being shot.

"Wildlife" means any native or exotic wild animal or bird.

§ 3.1-763.5:2. Department authorized to issue, deny and revoke licenses; exceptions; Veterinarian to seize livestock.

A. The Department shall issue a license for shooting enclosures only to those enclosures which were in operation on or before January 1, 1995. However, these enclosures may continue to operate until the effective date of regulations but shall hold only those animals described in § 3.1-763.5:6 and subsequently specified in regulations. The Department shall issue a license to a shooting enclosure when it meets the requirements of this article and regulations promulgated thereunder. Upon the effective date of regulations, no person shall operate an enclosure unless he has obtained a license from the Department.

B. The Department may deny, suspend, or revoke a license if the applicant for a license or a licensee, violates, or is otherwise not in compliance with this article or the regulations adopted pursuant thereto.

C. Before a shooting enclosure is licensed and throughout the duration of the license, the Department shall inspect the shooting enclosure to ensure compliance with this article or the regulations adopted pursuant thereto.

D. The State Veterinarian is authorized to seize and dispose of any livestock, as described in § 3.1-763.5:6, found in shooting enclosures that are not licensed under this article.

E. Any person convicted of operating an unlicensed shooting enclosure shall pay all reasonable costs incurred by the Department in the seizure and disposal of any confiscated livestock.

F. It is unlawful for any person to provide livestock, as described in 3.1-763.5:6, to an unlicensed shooting enclosure.

§ 3.1-763.5:8. Penalty.

Any person who violates any provision of this article or a regulation promulgated thereunder shall be guilty of a Class 2 misdemeanor.