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## SENATE BILL NO. 274

Offered January 13, 2010

Prefiled January 12, 2010

A *BILL to amend and reenact § 3.2-6557 of the Code of Virginia, relating to recording of animal control information.*

Patron—Whipple

Referred to Committee on Agriculture, Conservation and Natural Resources

**Be it enacted by the General Assembly of Virginia:****1. That § 3.2-6557 of the Code of Virginia is amended and reenacted as follows:**

§ 3.2-6557. Animal control officers and humane investigators; limitations; records; penalties.

A. No animal control officer, humane investigator, humane society or custodian of any pound or animal shelter shall: (i) obtain the release or transfer of an animal by the animal's owner to such animal control officer, humane investigator, humane society or custodian for personal gain; or (ii) give or sell or negotiate for the gift or sale to any individual, pet shop, dealer, or research facility of any animal that may come into his custody in the course of carrying out his official assignments. No animal control officer, humane investigator or custodian of any pound or animal shelter shall be granted a dealer's license. Violation of this subsection is a Class 1 misdemeanor. Nothing in this section shall preclude any animal control officer or humane investigator from lawfully impounding any animal pursuant to § 3.2-6569.

B. An animal control officer, law-enforcement officer, humane investigator or custodian of any pound or animal shelter, upon taking custody of any animal in the course of his official duties, or any representative of a humane society, upon obtaining custody of any animal on behalf of the society, shall immediately make a record of the matter. Such record shall include:

1. The date on which the animal was taken into custody;
2. The date of the making of the record;
3. A description of the animal including the animal's species, color, breed, sex, approximate age and approximate weight;
4. The reason for taking custody of the animal and the location where custody was taken;
5. The name and address of the animal's owner, if known;
6. Any license or rabies tag, tattoo, collar or other identification number carried by or appearing on the animal; and
7. The disposition of the animal.

Records required by this subsection shall be maintained for at least five years, and shall be available for public inspection upon request, *except for the information collected pursuant to subdivision B 5*. A summary of such records shall be submitted annually to the State Veterinarian in a format prescribed by him.

C. Any animal control officer or custodian of any pound who violates any provision of this chapter that relates to the seizure, impoundment and custody of animals by an animal control officer may be subject to suspension or dismissal from his position.

D. Custodians and animal control officers engaged in the operation of a pound shall be required to have knowledge of the laws of the Commonwealth governing animals, including this chapter, as well as basic animal care.

INTRODUCED

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