

# VIRGINIA ACTS OF ASSEMBLY -- 2011 SESSION

## CHAPTER 191

*An Act to amend and reenact §§ 18.2-97.1, 18.2-136, and 29.1-419 of the Code of Virginia, relating to hunting; practice of falconry; penalty.*

[H 1442]

Approved March 16, 2011

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 18.2-97.1, 18.2-136, and 29.1-419 of the Code of Virginia are amended and reenacted as follows:**

§ 18.2-97.1. Removal of a transmitting device; penalty.

Any person who removes ~~from a dog~~ an electronic or radio transmitting ~~collar~~ device *from a dog, falcon, hawk, or owl* without the permission of the owner ~~of the dog~~ and with the intent to prevent or hinder the owner from locating the dog, *falcon, hawk, or owl* is guilty of a Class 1 misdemeanor. Upon a finding of guilt, the court shall order that the defendant pay as restitution the actual value of any dog, *falcon, hawk, or owl* lost or killed as a result of such removal. The court may also order restitution to the owner for any lost breeding revenues.

§ 18.2-136. Right of certain hunters to go on lands of another; carrying firearms or bows and arrows prohibited.

Fox hunters and coon hunters, when the chase begins on other lands, may follow their dogs on prohibited lands, and hunters of all other game, when the chase begins on other lands, may go upon prohibited lands to retrieve their dogs, *falcons, hawks, or owls* but may not carry firearms or bows and arrows on their persons or hunt any game while thereon. The use of vehicles to retrieve dogs, *falcons, hawks, or owls* on prohibited lands shall be allowed only with the permission of the landowner or his agent. Any person who goes on prohibited lands to retrieve his dogs, *falcons, hawks, or owls* pursuant to this section and who willfully refuses to identify himself when requested by the landowner or his agent to do so is guilty of a Class 4 misdemeanor.

§ 29.1-419. Taking or holding of falcons, hawks and owls; use to hunt wild game.

Notwithstanding any other provision of law, the Director may:

1. Permit the taking, trapping, holding, transportation, carriage and shipment of live falcons, hawks and owls. The initial fee or the fee for nonconsecutive years for this permit shall be ~~fifty dollars~~, and the permit shall entitle the holder to possess not more than three of any such birds at any one time \$50. The fee for subsequent consecutive years shall be ~~twenty dollars~~ \$20 per year.

2. Authorize the use of falcons, hawks and owls to hunt and take all species of wild birds and wild animals. However, the hunting of migratory game birds shall be in accordance with § 29.1-515, and appropriate hunting licenses shall be required as provided in Chapter 3 (§ 29.1-300 et seq.) of this title.