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SENATE BILL NO. 610

Offered January 19, 2012

A BILL to amend and reenact § 3.2-300 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 3.2-6503.2, relating to the regulation of animal agriculture.

Patron—Black

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-300 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 3.2-6503.2 as follows:

§ 3.2-300. Definitions.

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

"Agricultural animal" or "livestock" means any domestic animal raised, herded, or farmed as an agricultural product or associated with agriculture, including equids, cows, calves, yearlings, bulls, oxen, sheep, goats, lambs, kids, hogs, pigs, poultry, gamefowl, fowl, hunting dogs, working dogs, and show dogs.

"Agricultural operation" means any owned or leased operation, facility, or land devoted to the bona fide production or processing of crops, ~~or~~ agricultural products, animals, or fowl including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity. "Agricultural operation" includes the use of farm machinery, equipment, devices, chemicals, medications or devices used for administering medications, products for agricultural use, and materials or structures designed for agricultural use or housing and used in accordance with generally accepted or traditional farm or sporting practices.

"Production agriculture and silviculture" means the bona fide production or harvesting of agricultural or silvicultural products but shall not include the processing of agricultural or silvicultural products or the above ground application or storage of sewage sludge.

"Traditional farm practice" means an accepted and customary standard established by similar agricultural operations under similar circumstances, including notching, docking, tagging, dehorning, debeaking, shoeing, trimming, dubbing, castrating, penning, cooping, caging, tethering, herding, hauling, training, showing, and culling.

§ 3.2-6503.2. Regulation of care and handling of agricultural animals.

The Department occupies the entire field of regulation of the care, control, and handling of agricultural animals. No political subdivision, locality, or humane society shall regulate the care and handling of agricultural animals.

INTRODUCED

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