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HOUSE BILL NO. 1829

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Petersen
on February 14, 2013)

(Patron Prior to Substitute—Delegate Poindexter)

A *BILL to amend and reenact § 29.1-516 of the Code of Virginia, relating to the hunting of foxes with dogs.*

Be it enacted by the General Assembly of Virginia:

1. That § 29.1-516 of the Code of Virginia is amended and reenacted as follows:

§ 29.1-516. Game animals.

The following provisions shall apply to the killing and hunting of the particular game animals listed:

Black bear. - ~~Black~~ A black bear may be killed by any person when (i) it is inflicting or attempting to inflict injury to a person; or (ii) when a person is in pursuit of the bear commenced immediately after the commission of such offense. Any person killing a bear under this provision shall immediately report the killing to a state conservation police officer.

Deer. - It ~~shall be~~ is unlawful for a person to kill or attempt to kill a deer in the water of any stream, lake, or pond. It ~~shall be~~ is unlawful to hunt deer with dogs in the counties west of the Blue Ridge Mountains.

Fox. - There ~~shall be~~ is a continuous open season for hunting with dogs only. The hunting or pursuit of foxes shall mean the actual following of the dogs while in pursuit of a fox or foxes or ~~the~~ managing of the dog or dogs, *including by the use of a Global Positioning System (GPS) or other electronic tracking device*, while the fox or foxes are being hunted or pursued. *Nothing in this section shall preclude the managing of dogs by the use of a GPS or other electronic tracking device by hunters when hunting other game animals.* Foxes may be killed at any time by the owner or tenant of any land when such animals are doing damage to domestic stock or fowl. *However, it is unlawful to stage or participate in any hunting activity or related competition where a fox is pursued in an enclosure by dogs for money or prizes.*

Rabbits and squirrels. - It ~~shall be~~ is unlawful to kill rabbits ~~and~~ or squirrels during the closed season; however, the following persons may kill rabbits or squirrels for their own use during the closed season:

1. A landowner and members of his immediate family;
2. Resident members of hunt clubs who own the land in fee, either jointly or through a holding company;

3. Tenants residing on the premises, with the written permission of the landowner.

When such animals are committing substantial damage to fruit trees, gardens, crops, or other property, the owner of the premises may kill the animals or have them killed under a permit obtained from the conservation police officer.