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SENATE BILL NO. 1280

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on January 31, 2013)

(Patron Prior to Substitute—Senator Marsden)

A *BILL to amend the Code of Virginia by adding a section numbered 29.1-525.2, relating to fox and coyote enclosures; penalty.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 29.1-525.2 as follows:

§ 29.1-525.2. Fox and coyote enclosures; penalty.

A. *It is unlawful to:*

1. *Stage or participate in any competition where any fox or coyote is pursued by dogs and the fox or coyote is in an enclosure.*

2. *Give or accept any prize, money, compensation, ranking, or other award relating to the participation in any competition where a fox or coyote are pursued by a dog or dogs within an enclosure.*

3. *Be inside an enclosure in which a dog or dogs have been released other than for the purpose of assuring compliance with permit conditions, retrieving dogs, or attending to the welfare of the dogs, the fox, or the coyote within the enclosure.*

B. *This section shall not be construed to limit any federal, state, or local law, rule, or regulation pertaining to animal cruelty or neglect.*

C. *No more than one dog per five acres of enclosure shall be allowed in an enclosure at one time.*

D. *For the purposes of this section:*

"Competition" *means a judged event in which a dog or dogs pursue any fox or coyote within an enclosure and the relative ability of a dog or dogs to pursue a fox or coyote is judged or ranked in any manner.*

"Enclosure" *includes a fence or other barrier that is used to prevent or impede the natural egress by any fox or coyote.*

E. *Any person who violates any provision of this section is guilty of a Class 3 misdemeanor for a first offense, a Class 2 misdemeanor for a second offense, and a Class 1 misdemeanor for a third or subsequent offense. This subsection shall not be construed as limiting the Department's enforcement authority of available penalties under other sections of this Code.*

F. *This section shall not be construed as limiting the Department's or Board's authority to impose more restrictive requirements or to limit the number of permits issued.*