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SENATE BILL NO. 42

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on February 6, 2014)

(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 prohibited; penalty.

A. It is unlawful to erect, maintain, or operate an enclosure for the purpose of pursuing, hunting, or killing or attempting to pursue, hunt, or kill any fox or coyote with a dog. For purposes of this section, "enclosure" means a fence or other barrier that is used to prevent or impede the natural egress by any fox or coyote.

B. The provisions of subsection A shall not apply to the maintenance or operation of an enclosure by any person who holds a permit that was initially issued by the Department prior to January 1, 2014.

C. This section shall not preclude the pursuing, hunting, or killing of any fox or coyote by a dog in the absence of an enclosure, or the killing of any fox or coyote by a landowner or tenant when the fox or coyote is damaging domestic stock or fowl on the owned or leased land. This section shall not be construed to limit any federal, state, or local law, rule, or regulation pertaining to animal cruelty or neglect.

D. Any person who violates any provision of this section is guilty of a Class 1 misdemeanor. This subsection shall not be construed to limit the authority of the Department to enforce other available penalties.

SENATE SUBSTITUTE

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