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SENATE BILL NO. 1001

Offered January 14, 2015

Prefiled January 12, 2015

A BILL to amend and reenact § 3.2-6511.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 3.2-6508.1 and by adding in Article 3 of Chapter 65 of Title 3.2 a section numbered 3.2-6517.1, relating to the sale of certain pets.

Patron—Stanley

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-6511.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 3.2-6508.1 and by adding in Article 3 of Chapter 65 of Title 3.2 a section numbered 3.2-6517.1 as follows:

§ 3.2-6508.1. Sale of dogs or cats prohibited in certain places.

It is unlawful for any person to sell, exchange, trade, barter, lease, or display for a commercial purpose any dog or cat on or in any roadside, public right-of-way, parkway, median, park, or recreation area; flea market or other outdoor market; or commercial parking lot, regardless of whether such act is authorized by the landowner. This section shall not apply to the display of dogs or cats by or the adoption of dogs or cats from a humane society or public animal shelter as those terms are defined in § 3.2-6500 or to the display of dogs or cats as part of a state or county fair exhibition, 4-H program, or similar exhibition or educational program.

§ 3.2-6511.1. Pet shops; procurement of dogs; penalty.

A. It is unlawful for a pet shop to A pet shop shall sell or offer for sale any dog procured from a dog procured only from a humane society or public animal shelter as those terms are defined in § 3.2-6500 or from a person who is not a dealer or licensed by meets the dog breeding requirements set forth in § 3.2-6507.2 and who has not been cited by the U.S. Department of Agriculture pursuant to for a direct or no access violation pursuant to enforcement of the federal Animal Welfare Act (7 U.S.C. § 2131 et seq.) or regulations adopted thereunder for at least three years prior to the procurement of the dog.

B. It shall be unlawful for any commercial dog breeder who is not licensed by the U.S. Department of Agriculture pursuant to the federal Animal Welfare Act (7 U.S.C. § 2131 et seq.) or regulations adopted thereunder to sell any dog to a pet shop, unless such commercial dog breeder maintains a valid and current USDA dealer's permit.

C. A pet shop shall retain records verifying compliance with this section for a minimum of two years after the disposition of any dog.

D. Any person violating any provision of this section is guilty of a Class 1 misdemeanor for each dog sold or offered for sale.

§ 3.2-6517.1. Authorization for more stringent ordinances.

Any locality may adopt an ordinance that is more stringent than the provisions set forth in this article.

INTRODUCED

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