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HOUSE BILL NO. 1231

Offered January 19, 2016

A BILL to amend and reenact § 3.2-6552 of the Code of Virginia, relating to dogs chasing livestock.

Patron—Collins

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-6552 of the Code of Virginia is amended and reenacted as follows:

§ 3.2-6552. Dogs killing, injuring, or chasing livestock or poultry.

It shall be the duty of any animal control officer or other officer who may find a dog in the act of killing or injuring livestock or poultry to seize or kill such dog forthwith whether such dog bears a tag or not. Any person finding a dog committing any of the depredations mentioned in this section shall have the right to kill such dog on sight as shall any owner of livestock or his agent finding a dog chasing livestock on land utilized by the livestock when the circumstances show that such chasing is harmful to the livestock. Any court shall have the power to order the animal control officer or other officer to kill any dog known to be a confirmed livestock or poultry killer, and any dog killing poultry for the third time shall be considered a confirmed poultry killer. The court, through its contempt powers, may compel the owner, custodian, or harbinger of the dog to produce the dog.

Any animal control officer who has reason to believe that any dog is killing livestock or poultry shall be empowered to seize such dog solely for the purpose of examining such dog in order to determine whether it committed any of the depredations mentioned herein. Any animal control officer or other person who has reason to believe that any dog is killing livestock, or committing any of the depredations mentioned in this section, shall apply to a magistrate serving the locality wherein the dog may be, who shall issue a warrant requiring the owner or custodian, if known, to appear before a general district court at a time and place named therein, at which time evidence shall be heard. If it shall appear that the dog is a livestock killer, or has committed any of the depredations mentioned in this section, the district court shall order that the dog be: (i) ~~killed~~ *euthanized* immediately by the animal control officer or other officer designated by the court; ~~or~~ (ii) removed to another state that does not border on the Commonwealth and prohibited from returning to the Commonwealth; *or* (iii) *confined indoors or in a securely enclosed and locked structure of sufficient height and design to prevent the dog's escape or direct contact with or entry by minors, adults, or other animals. The structure shall be designed to provide the dog with shelter from the elements of nature. When off its owner's property, any dog found to be a livestock or poultry killer shall be kept on a leash and muzzled in such a manner as not to cause injury to an animal or interfere with the dog's vision or respiration, but so as to prevent it from biting a person or another animal. Any dog ordered found running at large that has previously been deemed a livestock or poultry killer by the courts or that had been removed from the Commonwealth that is later found in the Commonwealth shall be ordered by a court to be killed euthanized immediately.*

INTRODUCED

HB1231