

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 3.2-6552 of the Code of Virginia, relating to dogs chasing livestock.*

3 [H 1231]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 3.2-6552 of the Code of Virginia is amended and reenacted as follows:**7 **§ 3.2-6552. Dogs killing, injuring, or chasing livestock or poultry.**

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

17 B. Any animal control officer who has reason to believe that any dog is killing livestock or poultry
 18 shall be empowered to seize such dog solely for the purpose of examining such dog in order to
 19 determine whether it committed any of the depredations mentioned herein. Any animal control officer or
 20 other person who has reason to believe that any dog is killing livestock, or committing any of the
 21 depredations mentioned in this section, shall apply to a magistrate serving the locality wherein the dog
 22 may be, who shall issue a warrant requiring the owner or custodian, if known, to appear before a
 23 general district court at a time and place named therein, at which time evidence shall be heard. If it
 24 shall appear that the dog is a livestock killer, or has committed any of the depredations mentioned in
 25 this section, the district court shall order that the dog be: (i) killed *or euthanized* immediately by the
 26 animal control officer or other officer designated by the court; or (ii) removed to another state that does
 27 not border on the Commonwealth and prohibited from returning to the Commonwealth. Any dog ordered
 28 removed from the Commonwealth that is later found in the Commonwealth shall be ordered by a court
 29 to be killed *or euthanized* immediately.

30 C. *Notwithstanding the provisions of subsection B, if it is determined that the dog has killed or*
 31 *injured only poultry, the district court may, instead of ordering euthanasia or removal to another state*
 32 *pursuant to this section, order either (a) that the dog be transferred to another owner whom the court*
 33 *deems appropriate and permanently fitted with an identifying microchip registered to that owner or (b)*
 34 *that the dog be fitted with an identifying microchip registered to the owner and confined indoors or in a*
 35 *securely enclosed and locked structure of sufficient height and design to prevent the dog's escape; direct*
 36 *contact with the dog by minors, adults, or other animals; or entry by minors, adults, or other animals.*
 37 *The structure shall be designed to provide the dog with shelter from the elements of nature. When off its*
 38 *owner's property, any dog found to be a poultry killer shall be kept on a leash and muzzled in such a*
 39 *manner as not to cause injury to the dog or interfere with its vision or respiration, but so as to prevent*
 40 *it from biting a person or another animal.*

ENROLLED

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