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SENATE BILL NO. 856

Offered January 11, 2017

Prefiled December 4, 2016

A BILL to amend and reenact §§ 3.2-6527, 3.2-6528, 3.2-6530, 3.2-6532, and 18.2-403.3 of the Code of Virginia, relating to dogs and cats; lifetime licenses.

Patrons—Hanger and Black; Delegate: Kory

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.2-6527, 3.2-6528, 3.2-6530, 3.2-6532, and 18.2-403.3 of the Code of Virginia are amended and reenacted as follows:

§ 3.2-6527. How to obtain license.

Any person may obtain a dog license or cat license if required by an ordinance adopted pursuant to subsection B of § 3.2-6524, by making oral or written application to the treasurer of the locality where such person resides, accompanied by the amount of license tax and current certificate of vaccination as required by this article or satisfactory evidence that such certificate has been obtained. The treasurer or other officer charged with the duty of issuing dog and cat licenses shall only have authority to license dogs and cats of resident owners or custodians who reside within the boundary limits of his county or city and may require information to this effect from any applicant. Upon receipt of proper application and current certificate of vaccination as required by this article or satisfactory evidence that such certificate has been obtained, the treasurer or other officer charged with the duty of issuing dog and cat licenses shall issue a license receipt for the amount on which he shall record the name and address of the owner or custodian, the date of payment, the year years for which issued, the serial number of the tag, whether dog or cat, whether male or female, whether spayed or neutered, or whether a kennel, and deliver the metal license tags or plates provided for herein in § 3.2-6526. The information thus received shall be retained by the treasurer, open to public inspection, during the period for which such license is valid. The treasurer may establish substations in convenient locations in the county or city and appoint agents for the collection of the license tax and issuance of such licenses.

§ 3.2-6528. Amount of license tax.

The governing body of each county or city shall impose by ordinance a license tax on the ownership of dogs within its jurisdiction. The governing body of any locality that has adopted an ordinance pursuant to subsection B of § 3.2-6524 shall impose by ordinance a license tax on the ownership of cats within its jurisdiction. The governing body may establish different rates of taxation for ownership of female dogs, male dogs, spayed or neutered dogs, female cats, male cats, and spayed or neutered cats. The tax for each dog or cat shall not be less than \$4 and not more than \$10 for each year or \$50 for a lifetime license issued pursuant to subsection B of § 3.2-6530. If the dog or cat has been spayed, the tax shall not exceed the tax provided for a male dog or cat. Any ordinance may provide for a license tax for kennels of 10, 20, 30, 40, or 50 dogs or cats not to exceed \$50 for any one such block of kennels.

No license tax shall be levied on any dog that is trained and serves as a guide dog for a blind person, that is trained and serves as a hearing dog for a deaf or hearing-impaired person, or that is trained and serves as a service dog for a mobility-impaired or otherwise disabled person.

As used in this section, "hearing dog," "mobility-impaired person," "otherwise disabled person," and "service dog" have the same meanings as assigned in § 51.5-40.1.

§ 3.2-6530. When license tax payable.

A. The license tax as prescribed in § 3.2-6528 is due not later than 30 days after a dog or cat has reached the age of four months, or not later than 30 days after an owner acquires a dog or cat four months of age or older, and each year thereafter.

B. Licensing periods for individual dogs and cats may be equal to and may run concurrently with the rabies vaccination effective period.

B. The governing body of a county or city may by ordinance provide for a lifetime dog or cat license. Such a license shall be valid only as long as the animal's owner resides in the issuing locality and the animal's rabies vaccination is kept current.

C. Any kennel license tax prescribed pursuant to § 3.2-6528 shall be due on January 1 and not later than January 31 of each year.

§ 3.2-6532. Duplicate license tags.

If a dog or cat license tag is lost, destroyed or stolen, the owner or custodian shall at once apply to the treasurer or his agent who issued the original license for a duplicate license tag, presenting the

59 original license receipt. Upon affidavit of the owner or custodian before the treasurer or his agent that  
60 the original license tag has been lost, destroyed or stolen, he shall issue a duplicate license tag that the  
61 owner or custodian shall immediately affix to the collar of the dog. The treasurer or his agent shall  
62 endorse the number of the duplicate and the date issued on the face of the original license receipt. The  
63 fee for a duplicate tag for any dog or cat shall ~~be~~ *not exceed* \$1.

64 **§ 18.2-403.3. Offenses involving animals — Class 4 misdemeanors.**

65 The following unlawful acts and offenses against animals shall constitute and be punished as a Class  
66 4 misdemeanor:

67 1. Violation of § 3.2-6566 pertaining to interference of agents charged with preventing cruelty to  
68 animals.

69 2. Violation of § 3.2-6573 pertaining to shooting pigeons.

70 3. Violation of § 3.2-6554 pertaining to disposing of the body of a dead companion animal.

71 4. Violation of ordinances passed pursuant to §§ 3.2-6522 and 3.2-6525 pertaining to rabid dogs and  
72 preventing the spread of rabies and the running at large of vicious dogs.

73 5. Violation of an ordinance passed pursuant to § 3.2-6539 requiring dogs to be on a leash.

74 6. Failure by any person to secure and exhibit the permits required by § 29.1-422 pertaining to field  
75 trails, night trails and foxhounds.

76 7. Diseased dogs. — For the owner of any dog with a contagious or infectious disease to permit  
77 such dog to stray from his premises if such disease is known to the owner.

78 8. License application. — For any person to make a false statement in order to secure a dog or cat  
79 license to which he is not entitled.

80 9. License tax. — For any dog or cat owner to fail to pay any license tax required by *subsection A*  
81 *or C* of § 3.2-6530 ~~before February 1 for the year in which~~ *within one month after the date when it is*  
82 *due.* In addition, the court may order confiscation and the proper disposition of the dog or cat.

83 10. Concealing a dog or cat. — For any person to conceal or harbor any dog or cat on which any  
84 required license tax has not been paid.

85 11. Removing collar and tag. — For any person, except the owner or custodian, to remove a legally  
86 acquired license tag from a dog or cat without the permission of the owner or custodian.

87 12. Violation of § 3.2-6503 pertaining to care of animals by owner.