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HOUSE BILL NO. 94

Offered January 10, 2018

Prefiled December 12, 2017

A *BILL to amend and reenact § 3.2-6518 of the Code of Virginia, relating to dog boarding establishments; group play; penalty.*

Patrons—Miyares and Helsel

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-6518 of the Code of Virginia is amended and reenacted as follows:

§ 3.2-6518. Boarding establishments and groomers; veterinary care requirements; consumer notification; penalty.

A. When an animal is boarded at a boarding establishment, or under the care, custody or subject to the actions of a groomer, the boarding establishment or groomer shall be responsible for providing the animal care requirements for each animal as specified in § 3.2-6503.

B. *When a dog is boarded at a boarding establishment, an employee of the boarding establishment shall be present at all times that the dog is able to have physical contact with another dog. Physical contact does not include separation by a fence or barrier when all openings in the fence are smaller than the muzzle of the dog.*

C. If an animal becomes ill or injured while in the custody of the boarding establishment or groomer, the boarding establishment or groomer shall provide the animal with emergency veterinary treatment for the illness or injury. The consumer shall bear the reasonable and necessary costs of emergency veterinary treatment for any illness or injury occurring while the animal is in the custody of the boarding establishment or groomer. The boarding establishment or groomer shall pay for veterinary treatment of any injury that the animal sustains while at the establishment or under the care or custody of a groomer if the injury resulted from the establishment's or groomer's failure, whether accidental or intentional, to provide the care required by § 3.2-6503, or if the injury is a result of the actions of the boarding establishment or groomer. Boarding establishments and groomers shall not be required to bear the cost of veterinary treatment for injuries resulting from the animal's self-mutilation.

D. If an animal is seized from a boarding establishment or groomer because of the establishment's or groomer's failure to provide adequate food, water, shelter, exercise, and care as defined in § 3.2-6500 and required by § 3.2-6503 or because of any other violation of this chapter, the animal shall be returned to the rightful owner as soon as possible or, if the owner refuses to reclaim the animal, be impounded and disposition made pursuant to § 3.2-6569.

E. Violation of this section by a boarding establishment or groomer is a Class 1 misdemeanor.

INTRODUCED

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