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SENATE BILL NO. 571

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance
on January 24, 2018)

(Patron Prior to Substitute—Senator DeSteph)

A *BILL to amend and reenact § 3.2-6509 of the Code of Virginia, relating to disclosure of animal bite history; penalty.*

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-6509 of the Code of Virginia is amended and reenacted as follows:

§ 3.2-6509. Misrepresentation of animal's condition; disclosure of bite history; penalties.

A. No person shall misrepresent the physical condition of any animal at the animal's sale, trade, delivery, or other method of transfer. For the purpose of this section, misrepresentation shall include selling, trading, delivering or otherwise transferring an animal to another person with the knowledge that the animal *has bitten a person or companion animal* or has an infection, communicable disease, parasitic infestation, abnormality or other physical defect that is not made known to the person receiving the animal. The sale of an agricultural animal that has external or internal parasites that are not made known to the person receiving the animal shall not be a violation of this section unless the animal is clinically ill or debilitated due to such parasites at the time of sale, trade, delivery or transfer of the animal.

B. Any custodian of a releasing agency, animal control officer, law-enforcement officer, or humane investigator, upon taking custody of any dog or cat in the course of his official duties, shall document whether, if known, the dog or cat has bitten a person or other animal and the circumstances and date of such bite. Any custodian of a releasing agency, animal control officer, law-enforcement officer, or humane investigator, upon release of a dog or cat for (i) adoption, (ii) return to a rightful owner, or (iii) transfer to another agency, shall disclose, if known, that the dog or cat has bitten a person or other animal and the circumstances and date of such bite.

C. Violation of this section is a Class 3 misdemeanor.