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SENATE BILL NO. 1043

Offered January 9, 2019

Prefiled November 27, 2018

A *BILL to amend and reenact § 3.2-6511.1 of the Code of Virginia, relating to pet shops; procurement of dogs; penalty.*

Patrons—Marsden and Barker; Delegate: Kory

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:**1. That § 3.2-6511.1 of the Code of Virginia is amended and reenacted as follows:****§ 3.2-6511.1. Pet shops; procurement of dogs; penalty.**

A. A pet shop shall sell or offer for adoption a dog procured only from a humane society; a private or public animal shelter as those terms are defined in § 3.2-6500; or a person who has not received from the U.S. Department of Agriculture, pursuant to enforcement of the federal Animal Welfare Act (7 U.S.C. § 2131 et seq.) or regulations adopted thereunder, (i) a citation for a direct or critical violation or citations for three or more indirect or noncritical violations for at least two years prior to the procurement of the dog or (ii) two consecutive citations for no access to the facility prior to the procurement of the dog and who has not knowingly obtained the dog directly or indirectly from a person with such citations.

B. *No pet shop or dealer shall purchase a dog from a commercial dog breeder unless the breeder provides a form signed by the breeder stating that the breeder is in full compliance with the requirements established in § 3.2-6507.2 and that the form is signed under penalty pursuant to this section.*

C. ~~It shall be~~ is unlawful for any dealer or commercial dog breeder who is not licensed or exempted from licensure by the U.S. Department of Agriculture pursuant to the federal Animal Welfare Act (7 U.S.C. § 2131 et seq.) or regulations adopted thereunder to sell any dog to a pet shop.

~~C. D.~~ *No commercial dog breeder shall sell a dog unless the breeder provides to the purchaser a form signed by the breeder stating that the breeder is in full compliance with the requirements established in § 3.2-6507.2 and that the form is signed under penalty pursuant to this section.*

E. *The Commissioner shall develop and make available on the Department's website a form to be used by commercial dog breeders in complying with the requirements of subsections B and D.*

F. A pet shop shall retain records verifying compliance with this section for a minimum of two years after the disposition of any dog.

~~D. G.~~ Any person ~~violating~~ who violates any provision of this section is guilty of a Class 1 misdemeanor for each dog purchased, sold, or offered for sale or adoption.

INTRODUCED

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