

VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

CHAPTER 339

An Act to amend and reenact §§ 3.2-6511.1 and 3.2-6511.2 of the Code of Virginia, relating to pet shops, dealers, and dog breeders; employees convicted of animal abuse; penalty.

[S 1412]

Approved March 24, 2021

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.2-6511.1 and 3.2-6511.2 of the Code of Virginia are 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. 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. A pet shop shall retain records verifying compliance with this section for a minimum of two years after the disposition of any dog.

D. *No person shall serve as an owner, director, officer, manager, operator, member of staff, or animal caregiver of a pet shop if such person has been convicted of a violation of § 3.2-6570.*

E. *Prior to selling or giving for adoption any dog, a pet shop shall obtain a signed statement from the purchaser or adopter specifying that such person has never been convicted of a violation of § 3.2-6570.*

F. Any person violating any provision of *subsections A, B, C, or E* of this section is guilty of a Class 1 misdemeanor for each dog sold or offered for sale. *Any person violating any provision of subsection D of this section is guilty of a Class 1 misdemeanor.*

§ 3.2-6511.2. Dealers; importation and sale of dogs; penalty.

A. No dealer or commercial dog breeder shall import for sale, sell, or offer for sale any dog bred by a person who has 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.

B. *No person shall serve as an owner, director, officer, manager, operator, member of staff, or animal caregiver for a dealer or commercial dog breeder if such person has been convicted of a violation of § 3.2-6570.*

C. Any person violating any provision of this section is guilty of a Class 1 misdemeanor for each dog imported, sold, or offered for sale.