

2021 SPECIAL SESSION I

INTRODUCED

21100834D

SENATE BILL NO. 1412

Offered January 13, 2021

Prefiled January 13, 2021

A BILL 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.

Patron—Stanley

Referred to Committee on Agriculture, Conservation and Natural Resources

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, member, operator, member of staff, or animal caregiver of a pet shop until such pet shop obtains a signed statement specifying that such person has never been convicted of animal cruelty, neglect, or abandonment.*

Prior to selling or giving for adoption an animal, a pet shop shall obtain a signed statement from the purchaser or adopter specifying that such person has never been convicted of animal cruelty, neglect, or abandonment.

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

§ 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, member, operator, member of staff, or animal caregiver for a dealer or commercial dog breeder until such dealer or commercial dog breeder obtains a signed statement specifying that such person has never been convicted of animal cruelty, neglect, or abandonment.*

No dealer or commercial dog breeder shall import for sale, sell, or offer for sale or adoption any dog to any pet shop unless the dealer or commercial dog breeder obtains a signed statement from each owner, director, officer, manager, member, operator, member of staff, and animal caregiver of the pet shop specifying that such person has never been convicted of animal cruelty, neglect, or abandonment.

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.

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