

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 3.1-796.122 of the Code of Virginia, relating to cruelty to animals.*

3 [H 2322]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 3.1-796.122 of the Code of Virginia is amended and reenacted as follows:**

7 § 3.1-796.122. Cruelty to animals; penalty.

8 A. Any person who (i) overrides, overdrives, overloads, tortures, ill-treats, abandons, willfully inflicts
9 inhumane injury or pain not connected with bona fide scientific or medical experimentation, or cruelly
10 or unnecessarily beats, maims, mutilates, or kills any animal, whether belonging to himself or another;
11 or (ii) deprives any animal of necessary food, drink, shelter or emergency veterinary treatment; or (iii)
12 willfully sets on foot, instigates, engages in, or in any way furthers any act of cruelty to any animal; or
13 (iv) carries or causes to be carried in or upon any vehicle, vessel or otherwise any animal in a cruel,
14 brutal, or inhumane manner, so as to produce torture or unnecessary suffering; or (v) causes any of the
15 above things, or, being the owner of such animal, permits such acts to be done by another, shall be
16 guilty of a Class 1 misdemeanor. Prosecution for violations of this subsection shall commence within
17 five years after commission of the offense. Prosecutions of this subsection regarding agricultural animals,
18 as defined in § 3.1-796.66, shall commence within one year after commission of the offense.

19 B. Any person who abandons any dog, cat or other domesticated animal in any public place
20 including the right-of-way of any public highway, road or street or on the property of another shall be
21 guilty of a Class 3 misdemeanor.

22 C. Nothing in this section shall be construed to prohibit the dehorning of cattle.

23 D. For the purposes of this section and §§ 3.1-796.111, 3.1-796.113, 3.1-796.114, 3.1-796.115, and
24 3.1-796.125, the word animal shall be construed to include birds and fowl.

25 E. *In addition to the penalties provided in subsection A, the court may, in its discretion, require any*
26 *person convicted of a violation of subsection A to attend an anger management or other appropriate*
27 *treatment program or obtain psychiatric or psychological counseling. The court may impose the costs of*
28 *such a program or counseling upon the person convicted.*