

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 29.1-525.2, relating to fox and*
3 *coyote enclosures; penalty.*

4 [S 42]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 29.1-525.2 as follows:**8 **§ 29.1-525.2. Fox and coyote enclosures prohibited; penalty.**

9 *A. It is unlawful to erect, maintain, or operate an enclosure for the purpose of pursuing, hunting, or*
10 *killing or attempting to pursue, hunt, or kill any fox or coyote with a dog. For purposes of this section,*
11 *"enclosure" means a fence or other barrier that is used to prevent or impede the natural egress by any*
12 *fox or coyote. A person who violates any provision of this subsection is guilty of a Class 1*
13 *misdemeanor. This subsection shall not be construed to limit the authority of the Department to enforce*
14 *other available penalties.*

15 *B. This section shall not preclude the pursuing, hunting, or killing of any fox or coyote by a dog in*
16 *the absence of an enclosure, or the killing of any fox or coyote by a landowner or tenant when the fox*
17 *or coyote is damaging domestic stock or fowl on the owned or leased land.*

18 *C. Until July 1, 2054, the provisions of subsection A shall not apply to any location at which, as of*
19 *January 1, 2014, a foxhound training preserve existed and was operating under a permit issued by the*
20 *Department. The Department shall continue to issue or renew permits to existing locations in*
21 *accordance with this section notwithstanding changes in the identity of the person or entity holding the*
22 *permit.*

23 *D. The regulations governing foxhound training preserves in effect as of January 1, 2014 shall*
24 *continue in full force and effect; provided, however, that the Department shall adopt regulations by*
25 *October 1, 2014 to limit the total number of foxes stocked annually in all permitted preserves to 900.*
26 *The Department shall specify a proportional number of foxes that may be stocked in each permitted*
27 *preserve based upon the number of acres of the preserve as a percentage of the total acreage of*
28 *permitted foxhound training preserves. If a preserve ceases to operate, its allocation of foxes from the*
29 *previous year shall be deducted from the total number of foxes that may be stocked in foxhound training*
30 *preserves in the Commonwealth.*

31 *E. The Department shall not deny a permit to an existing location solely due to recordkeeping*
32 *failures or other technical violations of the regulations governing foxhound training preserves.*

33 *F. The Department shall deny a permit to an existing location if the location voluntarily ceases*
34 *operation of its foxhound training preserve for a period of 12 consecutive months or longer.*

35 *G. Notwithstanding the provisions of § 2.2-4002, the denial of a permit to operate a foxhound*
36 *training preserve by the Department shall constitute a case decision subject to the Administrative*
37 *Process Act, § 2.2-4000 et seq. If a permittee or owner of a location subject to a permit files a notice of*
38 *appeal with the Department, the Department shall continue to permit the location until any such appeals*
39 *have been exhausted and the Department's determination upheld.*

ENROLLED

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