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SENATE BILL NO. 852

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources
on February 15, 2017)

(Patron Prior to Substitute—Senator Stanley)

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

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 ~~or~~; a private or public animal shelter as those terms are defined in § 3.2-6500 ~~or from~~; 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 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. Any person violating any provision of this section is guilty of a Class 1 misdemeanor for each dog sold or offered for sale.