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## HOUSE BILL NO. 1573

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice  
on January 31, 2020)

(Patron Prior to Substitute—Delegate Bell)

*A BILL to amend and reenact §§ 3.2-6587, 18.2-403.1, and 18.2-403.3 of the Code of Virginia, relating to rabid animals; penalty.***Be it enacted by the General Assembly of Virginia:****1. That §§ 3.2-6587, 18.2-403.1, and 18.2-403.3 of the Code of Virginia are amended and reenacted as follows:****§ 3.2-6587. Unlawful acts; penalties.**

A. The following shall be unlawful acts and are Class 4 misdemeanors:

1. For any person to make a false statement in order to secure a dog or cat license to which he is not entitled.

2. For any dog or cat owner to fail to pay any license tax required by this chapter before February 1 for the year in which it is due. In addition, the court may order confiscation and the proper disposition of the dog or cat.

3. For any dog owner to allow a dog to run at large in violation of an ordinance passed pursuant to § 3.2-6539.

4. ~~For~~ *Unless otherwise punishable under subsection B, for any person to fail to obey an ordinance passed pursuant to §§ 3.2-6522 and 3.2-6525.*

5. For any owner to fail to dispose of the body of his companion animals in accordance with § 3.2-6554.

6. For the owner of any dog or cat with a contagious or infectious disease, *other than rabies*, to permit such dog or cat to stray from his premises if such disease is known to the owner.7. *For the owner of a dog or cat who has been ordered to or agreed to confine such dog or cat pursuant to an animal confinement agreement or a plan set forth in § 3.2-6562.1 upon suspicion of the dog or cat having rabies to permit the dog or cat to stray from his premises;*

8. For any person to conceal or harbor any dog or cat on which any required license tax has not been paid.

9. For any person, except the owner or custodian, to remove a legally acquired license tag from a dog or cat without the permission of the owner or custodian.

10. Any other violation of this chapter for which a specific penalty is not provided.

B. It is a Class 1 misdemeanor for any person to:

1. Present a false claim or to receive any money on a false claim under the provisions of § 3.2-6553; ~~or~~.

2. Impersonate a humane investigator.

3. *Being the owner of a dog or cat and having been ordered to or agreed to confine such dog or cat pursuant to an animal confinement agreement or a plan set forth in § 3.2-6562.1 upon suspicion of the dog or cat having rabies, permit the dog or cat to stray from his premises and such dog or cat (i) bites, attacks, or inflicts injury on a companion animal that is a dog or cat; (ii) kills a companion animal that is a dog or cat; or (iii) bites, attacks, or inflicts injury on a person.***§ 18.2-403.1. Offenses involving animals — Class 1 misdemeanors.**

The following unlawful acts and offenses against animals shall constitute and be punished as a Class 1 misdemeanor:

1. Violation of subsection A of § 3.2-6570 pertaining to cruelty to animals, except as provided for second or subsequent violations in that section.

2. Violation of § 3.2-6508 pertaining to transporting animals under certain conditions.

3. Making a false claim or receiving money on a false claim under § 3.2-6553 pertaining to compensation for livestock and poultry killed by dogs.

4. Violation of § 3.2-6518 pertaining to boarding establishments and groomers as defined in § 3.2-6500.

5. Violation of § 3.2-6504 pertaining to the abandonment of animals.

6. *Violation of subdivision B 3 of § 3.2-6587 pertaining to an animal confinement agreement or plan set forth in § 3.2-6562.1.***§ 18.2-403.3. Offenses involving animals — Class 4 misdemeanors.**

The following unlawful acts and offenses against animals shall constitute and be punished as a Class 4 misdemeanor:

1. Violation of § 3.2-6566 pertaining to interference of agents charged with preventing cruelty to

- 60 animals.
- 61 2. Violation of § 3.2-6573 pertaining to shooting pigeons.
- 62 3. Violation of § 3.2-6554 pertaining to disposing of the body of a dead companion animal.
- 63 4. ~~Violation~~ *Unless otherwise punishable under subsection B of § 3.2-6587, violation* of ordinances  
64 passed pursuant to §§ 3.2-6522 and 3.2-6525 pertaining to rabid dogs and preventing the spread of  
65 rabies and the running at large of vicious dogs.
- 66 5. Violation of an ordinance passed pursuant to § 3.2-6539 requiring dogs to be on a leash.
- 67 6. Failure by any person to secure and exhibit the permits required by § 29.1-422 pertaining to field  
68 trails, night trails and foxhounds.
- 69 7. Diseased dogs. — For the owner of any dog with a contagious or infectious disease, *other than*  
70 *rabies*, to permit such dog to stray from his premises if such disease is known to the owner.
- 71 8. License application. — For any person to make a false statement in order to secure a dog or cat  
72 license to which he is not entitled.
- 73 9. License tax. — For any dog or cat owner to fail to pay any license tax required by subsection A  
74 or C of § 3.2-6530 within one month after the date when it is due. In addition, the court may order  
75 confiscation and the proper disposition of the dog or cat.
- 76 10. Concealing a dog or cat. — For any person to conceal or harbor any dog or cat on which any  
77 required license tax has not been paid.
- 78 11. Removing collar and tag. — For any person, except the owner or custodian, to remove a legally  
79 acquired license tag from a dog or cat without the permission of the owner or custodian.
- 80 12. Violation of § 3.2-6503 pertaining to care of animals by owner.