

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Title 3.2 a chapter numbered 64.1, consisting of a*
3 *section numbered 3.2-6403, relating to domesticated animal premises; liability for domesticated*
4 *animal pathogen.*

5 [H 764]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That the Code of Virginia is amended by adding in Title 3.2 a chapter numbered 64.1,**
9 **consisting of a section numbered 3.2-6403, as follows:**

10 CHAPTER 64.1.

11 DOMESTICATED ANIMAL PATHOGEN LIABILITY.

12 **§ 3.2-6403. Domesticated animal premises; liability for domesticated animal pathogen.**13 *A. For purposes of this chapter, unless the context requires a different meaning:*

14 *"Domesticated animal pathogen" or "pathogen" means a microorganism, biological agent, or toxin*
15 *that (i) causes disease, illness, or death to a human and (ii) is primarily transmitted by human contact*
16 *with a domesticated animal or manure or other excretions or body fluids from a domesticated animal.*

17 *"Domesticated animal premises" or "premises" means a place at a petting zoo, fair, or agricultural*
18 *exhibition at which a domesticated animal is regularly kept for three or more consecutive hours.*

19 *B. No owner or operator of a domesticated animal premises shall be liable for damages arising from*
20 *a claim by a person who visits such premises, including a participant or spectator, alleging injury or*
21 *death caused by a domesticated animal pathogen transmitted at such premises, regardless of whether a*
22 *domesticated animal is present at the premises when such pathogen is transmitted, if such owner or*
23 *operator took reasonable precautions to prevent the transmission of such pathogen.*

24 *C. Subsection B shall not apply to the extent that the person proves that no warning sign was posted*
25 *at a conspicuous place at the premises as required in subsection D or that no hand-washing station was*
26 *available as required in subsection E. Subsection B shall not apply if the transmission of the*
27 *domesticated animal pathogen occurred due to the gross negligence, willful and wanton conduct, or*
28 *intentional act of the owner or operator of a domesticated animal premises.*

29 *D. A warning sign shall be posted at a conspicuous place at any premises so that it is clearly visible*
30 *to a person visiting the premises for the first time. Such sign shall have a white background and display*
31 *a notice printed in black letters a minimum of one inch high in the following form:*

32 "WARNING

33 DOMESTICATED ANIMAL PREMISES

34 *Under Virginia Code § 3.2-6403, the owner or operator of these premises is not liable for a*
35 *domesticated animal pathogen transmitted from these premises. Take necessary sanitary precautions,*
36 *including not touching your face or consuming any food or drink until you have thoroughly washed and*
37 *dried your hands after your visit. As soon as possible after your visit, thoroughly wash your hands using*
38 *an appropriate soap and water, and thoroughly dry your hands after washing."*

39 *E. Each domesticated animal premises shall provide a working hand-washing station with soap,*
40 *water, and a means of drying the hands located at a conspicuous place at such premises.*