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SENATE BILL NO. 903

Offered January 8, 2025

Prefiled January 5, 2025

A *BILL to amend and reenact §§ 3.2-6501.1 and 3.2-6511.1 of the Code of Virginia, relating to the sale and procurement of animals by pet shops; pet shop regulations.*

Patron—Stanley

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:**1. That §§ 3.2-6501.1 and 3.2-6511.1 of the Code of Virginia are amended and reenacted as follows:****§ 3.2-6501.1. Regulations for the keeping of certain animals.**

A. The Board shall, by July 1, 2022, and pursuant to the provisions of the Administrative Process Act (§ 2.2-4000 et seq.), adopt comprehensive regulations governing the keeping of dogs and cats by any pet shop. Such regulations shall not apply to agricultural animals.

B. The regulations adopted pursuant to subsection A shall require every regulated person or facility to register annually with the Department and shall prohibit operation without such registration. The fee for such annual registration shall be \$250 for any private, for-profit entity required to register. Such regulations shall provide that a pet shop shall not sell a dog or cat to any research facility.

C. The regulations adopted pursuant to subsection A shall establish standards consistent with the provisions of this chapter for the keeping of animals, including (i) standards of adequate care, exercise, feed, shelter, space, treatment, and water and (ii) standards of proper cleaning and lighting. Where necessary, the Board shall adopt specific regulations that apply only to a particular category of currently unregulated entity; however, the standards established for any two similar categories of regulated entity shall not differ significantly.

D. The Board shall issue guidance setting out the compliance requirements for each regulatory standard adopted pursuant to this section, providing information on what an entity in each category is expected to do to comply with a given regulatory standard.

E. Regulations adopted pursuant to this section shall require a State Animal Welfare Inspector employed pursuant to § 3.2-5901.1 to annually conduct at least one unannounced drop-in inspection of each pet shop.

F. Regulations adopted pursuant to this section shall establish remedies for each finding in a given inspection. Such remedies may include the cancellation of the registration granted pursuant to subsection B; the institution of a conditional probationary period, during which the regulated facility shall be allowed to continue to operate; the renewal of such registration for a limited period; or other actions.

G. *Regulations adopted pursuant to this section shall require pet shops to (i) promote at least four times a year, pet adoption of dogs or cats from a humane society or private or public animal shelter, as those terms are defined in § 3.2-6500, and (ii) provide educational materials to a prospective dog or cat owner on (a) the responsibilities of owning a dog or cat, as described in § 3.2-6503, (b) the name and location of the breeder of such dog or cat, if known, and (c) the medical history of such dog or cat to be sold.*

H. Nothing in this section or in any regulation adopted pursuant to this section shall be interpreted to limit the authority of any entity to punish or prosecute a person for a violation of any law or regulation or to prevent any person from alerting an animal control officer or law-enforcement officer regarding the condition or treatment of any animal.

§ 3.2-6511.1. Pet shops; procurement of animals; penalty.

A. A pet shop shall sell or offer for adoption a ~~dog~~ *an animal* procured only from a humane society; a private or public animal shelter as those terms are defined in § 3.2-6500; a dealer; or a person who holds a valid license to breed within the Commonwealth and 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~~ animal or (ii) two consecutive citations for no access to the facility prior to the procurement of the ~~dog~~ animal and who has not knowingly obtained the ~~dog~~ animal directly or indirectly from a person with such citations.

B. It is unlawful for any dealer ~~or~~, commercial dog breeder, or any other animal 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~~ animal.

D. No person shall serve as an owner, director, officer, manager, operator, member of staff, or animal

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59 caregiver of a pet shop if such person has been convicted of a violation of § 3.2-6570.
60 E. Prior to selling or giving for adoption any ~~dog~~ *animal*, a pet shop shall obtain a signed statement from
61 the purchaser or adopter specifying that such person has never been convicted of a violation of § 3.2-6570.
62 F. Any person violating any provision of subsections A, B, C, or E of this section is guilty of a Class 1
63 misdemeanor for each ~~dog~~ *animal* sold or offered for sale. Any person violating any provision of subsection
64 D of this section is guilty of a Class 1 misdemeanor.