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SENATE BILL NO. 1125

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources on January 28, 2025)

(Patron Prior to Substitute—Senator Boysko)

A BILL to amend and reenact § 29.1-417 of the Code of Virginia, relating to Department of Wildlife Resources; propagation of wildlife without a permit unlawful; premature separation; hybridization.

Be it enacted by the General Assembly of Virginia:

1. That § 29.1-417 of the Code of Virginia is amended and reenacted as follows:

§ 29.1-417. Capturing, holding, propagating, and disposing of wildlife for authorized purposes; premature separation; hybridization.

A. The fee for a permit to capture, hold, propagate, and dispose of wildlife for purposes authorized by the Board shall be an amount sufficient to defray the costs of processing the permit and administering the permitted activity. However, in no instance shall the fees established by the Board exceed the following:

- 1. For endangered species, scientific collection and wildlife holder, \$20 per year; and
- 2. For all other such permits, \$50 per year.

B. The Board shall establish a permit to authorize the permittee to artificially raise trout, catfish, or largemouth bass and other members of the sunfish family for sale from a privately owned facility. Where the permittee allows public fishing from its facilities, if the fee provided for in subsection A has been paid, no license shall be required to fish from such a facility.

C. The Board shall establish standards for the possession and display of wildlife by elementary or secondary school teachers for educational purposes. No permit fee or application shall be required, and such display shall be deemed to be permitted so long as notification of the display is made to the Department and the exhibit is in compliance with the standards established by the Board. The Board's standards may include species permitted to be possessed and displayed, caging and enclosure requirements, prohibitions on release of wildlife, and notification requirements in the case of wildlife sickness or escape.

D. It is unlawful to propagate wildlife unless authorized by a permit issued by the Department. Regarding mammalian wildlife, any permit holder authorized by the Department to propagate wildlife shall not prematurely separate any offspring from the mother prior to the natural time of weaning that is appropriate for such species, except that offspring may be prematurely separated if a medical necessity exists pursuant to a written order from a licensed veterinarian with appropriate species-specific experience and expertise. In such case, permit holders shall make all reasonable efforts to safely reintroduce such separated offspring to the mother following any such premature separation. The Department, in consultation with the Association of Zoos and Aquariums, the Global Federation of Animal Sanctuaries, and other qualified experts with formal education, expertise, and training in the species as appropriate, shall determine the natural time of weaning that is appropriate for a species.

E. It is unlawful to intentionally and for commercial purposes (i) propagate mammalian wildlife of different species or subspecies, also known as hybridization, or (ii) keep or house mammalian wildlife of different species or subspecies in conditions in which they could propagate. The provisions of this subsection shall not apply to any facility accredited by the Association of Zoos and Aquariums.

SENATE SUBSTITUTE

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