

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 3.2-6555, 3.2-6564, and 3.2-6568 of the Code of Virginia, relating to*
 3 *boarding establishments; inspections by animal control officers; work group; report.*

4 [H 2313]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That §§ 3.2-6555, 3.2-6564, and 3.2-6568 of the Code of Virginia are amended and reenacted as**
8 **follows:**9 **§ 3.2-6555. Position of animal control officer created.**

10 A. The governing body of each county or city shall, or each town may, employ an officer to be known as
 11 the animal control officer who shall have the power to enforce this chapter, all ordinances enacted pursuant to
 12 this chapter and all laws for the protection of domestic animals. The governing body may also employ one or
 13 more deputy animal control officers to assist the animal control officer in the performance of his duties.
 14 Animal control officers and deputy animal control officers shall have knowledge of the animal control and
 15 protection laws of the Commonwealth that they are required to enforce. When in uniform or upon displaying
 16 a badge or other credentials of office, animal control officers and deputy animal control officers shall have
 17 the power to issue a summons or obtain a felony warrant as necessary, ~~providing~~ *provided that* the execution
 18 of such warrant shall be carried out by any law-enforcement officer as defined in § 9.1-101, to any person
 19 found in the act of violating any such law or any ordinance enacted pursuant to such law of the locality where
 20 the animal control officer or deputy animal control officer is employed. Commercial dog breeding locations
 21 shall be subject to inspection by animal control at least twice annually and additionally upon receipt of a
 22 complaint or their own motion to ensure compliance with state animal care laws and regulations. The animal
 23 control officer and the deputy animal control officers shall be paid as the governing body of each locality
 24 shall prescribe.

25 *B. In order to perform his duties under this chapter, an animal control officer may enter and inspect any*
 26 *animal boarding establishment, except establishments or facilities regulated by the Board of Veterinary*
 27 *Medicine, with the consent of the owner or person in charge, or pursuant to a warrant as provided for in §*
 28 *3.2-6568, upon receipt of a complaint or twice annually upon their own motion to ensure compliance with*
 29 *state animal care laws and regulations.*

30 C. Any locality where an animal control officer or deputy animal control officers have been employed
 31 may contract with one or more additional localities for enforcement of animal protection and control laws by
 32 the animal control officers or deputy animal control officers. Any such contract may provide that the locality
 33 employing the animal control officer or deputy animal control officers shall be reimbursed a portion of the
 34 salary and expenses of the animal control officer or deputy animal control officers.

35 D. Every locality employing an animal control officer shall submit to the State Veterinarian, on a form
 36 provided by him, information concerning the employment and training status of the animal control officers
 37 employed by the locality. The State Veterinarian may require that the locality notify him of any change in
 38 such information.

39 **§ 3.2-6564. Complaint of suspected violation; investigation.**

40 A. Upon receiving a complaint of a suspected violation of this chapter, any ordinance enacted pursuant to
 41 this chapter or any law for the protection of domestic animals, any animal control officer, law-enforcement
 42 officer, or State Veterinarian's representative may, for the purpose of investigating the allegations of the
 43 complaint *and with the consent of the owner or person in charge*, enter upon, during business hours, any
 44 business premises, including any place where animals or animal records are housed or kept, of any dealer, pet
 45 shop, groomer, or boarding establishment. Upon receiving a complaint of a suspected violation of any law or
 46 ordinance regarding care or treatment of animals or disposal of dead animals, any humane investigator may,
 47 for the purpose of investigating the allegations of the complaint *and with the consent of the owner or person*
 48 *in charge*, enter upon, during business hours, any business premises, including any place where animals or
 49 animal records are housed or kept, of any dealer, pet shop, groomer, or boarding establishment.

50 Upon obtaining a warrant as provided for in § 3.2-6568, the law-enforcement officer, animal control
 51 officer, State Veterinarian's representative, or humane investigator may enter upon any other premises where
 52 the animal or animals described in the complaint are housed or kept. Attorneys for the Commonwealth and
 53 law-enforcement officials shall provide such assistance as may be required in the conduct of such
 54 investigations.

55 B. If the investigation discloses that a violation of § 3.2-6503 has occurred, the investigating official shall
 56 notify the owner or custodian of the complaint and of what action is necessary to comply with this chapter.

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57 **§ 3.2-6568. Power of search for violations of statutes against cruelty to animals.**

58 When an affidavit is made under oath before a magistrate or court of competent jurisdiction by any animal
59 control officer, humane investigator, law-enforcement officer, or State Veterinarian's representative that the
60 complainant believes and has reasonable cause to believe that the laws in relation to cruelty to animals have
61 been, are being, or are about to be violated in any particular building or place, such magistrate or judge, if
62 satisfied that there is reasonable cause for such belief, shall issue a warrant authorizing any *animal control*
63 *officer*, sheriff, deputy sheriff, or police officer to search the building or place. After issuing a warrant under
64 this section, the magistrate or judge shall file the affidavit in the manner prescribed by § 19.2-54. After
65 executing the warrant, the animal control officer, humane investigator, law-enforcement officer, or State
66 Veterinarian's representative shall return the warrant to the clerk of the circuit court of the city or county
67 wherein the search was made.

68 **2. That the Department of Agriculture and Consumer Services, in consultation with the State**
69 **Veterinarian employed pursuant to § 3.2-5901 of the Code of Virginia, shall convene a work group**
70 **composed of relevant stakeholders to consider whether to propose a state license and other regulatory**
71 **requirements for animal boarding establishments similar to the current licensing requirements for**
72 **animal shelters. The work group shall submit its report to the Chairmen of the Senate Committee on**
73 **Agriculture, Conservation and Natural Resources and the House Committee on Agriculture,**
74 **Chesapeake and Natural Resources by December 1, 2026.**