

1 SENATE BILL NO. 344

2 AMENDMENT IN THE NATURE OF A SUBSTITUTE

3 (Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources

4 on _____)

5 (Patron Prior to Substitute—Senator Boysko)

6 *A BILL to amend and reenact § 29.1-417 of the Code of Virginia, relating to Department of Wildlife*
7 *Resources; premature separation and hybridization of mammalian wildlife prohibited; exceptions.*8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 29.1-417 of the Code of Virginia is amended and reenacted as follows:**10 **§ 29.1-417. Capturing, holding, propagating, and disposing of wildlife for authorized purposes;**
11 **premature separation and hybridization of mammalian wildlife prohibited; exceptions.**12 A. The fee for a permit to capture, hold, propagate, and dispose of wildlife for purposes authorized by the
13 Board shall be an amount sufficient to defray the costs of processing the permit and administering the
14 permitted activity. However, in no instance shall the fees established by the Board exceed the following:15 1. For endangered species, scientific collection and wildlife holder, \$20 per year; and
16 2. For all other such permits, \$50 per year.17 B. The Board shall establish a permit to authorize the permittee to artificially raise trout, catfish, or
18 largemouth bass and other members of the sunfish family for sale from a privately owned facility. Where the
19 permittee allows public fishing from its facilities, if the fee provided for in subsection A has been paid, no
20 license shall be required to fish from such a facility.21 C. The Board shall establish standards for the possession and display of wildlife by elementary or
22 secondary school teachers for educational purposes. No permit fee or application shall be required, and such
23 display shall be deemed to be permitted so long as notification of the display is made to the Department and
24 the exhibit is in compliance with the standards established by the Board. The Board's standards may include
25 species permitted to be possessed and displayed, caging and enclosure requirements, prohibitions on release
26 of wildlife, and notification requirements in the case of wildlife sickness or escape.27 *D. 1. It is unlawful to prematurely separate any mammalian wildlife offspring born in captivity from the*
28 *mother prior to the offspring turning four months of age, except that such offspring may be prematurely*
29 *separated (i) if a medical necessity exists pursuant to a written order from a veterinarian with appropriate*
30 *species-specific experience and expertise who is licensed to practice in the Commonwealth or (ii) for an*

31 activity described under subdivision 2. In the case of a medical necessity, all reasonable efforts shall be made
32 to safely reintroduce such separated offspring to the mother following any such premature separation.

33 2. The provisions of this subsection shall not apply to (i) agricultural animals, as that term is defined in §
34 3.2-6500; (ii) noncommercial transfers or trades between accredited zoological facilities; (iii) an accredited
35 zoological facility that retains the mammalian wildlife offspring separated by such zoological facility; (iv) the
36 Department, a person operating under a wildlife rehabilitator, scientific collection, or endangered and
37 threatened species permit approved by the Department, or a person operating under a species recovery plan
38 approved by the Department; or (v) the United States Fish and Wildlife Service. For purposes of this
39 subdivision, "accredited zoological facility" means a zoological facility that is accredited by an organization
40 that, as of January 1, 2024, (a) was operating as an accrediting organization, (b) had published standards of
41 accreditation for zoological facilities, and (c) had at least 20 accredited zoological facility members.

42 E. It is unlawful to intentionally and for commercial purposes propagate mammalian wildlife of different
43 species, also known as hybridization.