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HOUSE BILL NO. 1396

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources on _____)

(Patron Prior to Substitute—Delegate Martinez)

A BILL to amend the Code of Virginia by adding a section numbered 29.1-516.3, relating to Department of Wildlife Resources; permits; use of dogs in hunting game animals, fur-bearing animals, and nuisance species.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 29.1-516.3 as follows:

§ 29.1-516.3. Permit required for the use of dogs in hunting game animals, fur-bearing animals, and nuisance species.

A. The Department shall establish a permit for persons and a permit for organizations that hunt game animals, fur-bearing animals, or nuisance species with the aid of dogs. Applications for new and renewed permits shall be on a form prescribed by the Department and shall include a fee of $19. The Department shall promulgate regulations necessary to implement the provisions of this section, including (i) permit issuance procedures; (ii) criteria for permit enforcement, revocation, or suspension; (iii) standards for dog identification and marking of vehicles; (iv) conditions under which exemptions to the requirements of this subsection may be granted; (v) the implementation of practices that prevent a hunting dog from entering onto real property on which the permit holder does not have written or verbal permission to hunt; and (vi) penalties for violations of this section.

B. Beginning July 1, 2027, it is unlawful for any person to (i) release a dog to hunt, pursue, or chase any game animal, fur-bearing animal, or nuisance species on any tract of real property or (ii) engage in hunting any game animal, fur-bearing animal, or nuisance species with the aid of any dog unless such person has been issued a permit to hunt with dogs by the Department.

C. The provisions of subsection B shall not apply to any person or organization (i) engaged in mounted fox hunting; (ii) engaged in hunting waterfowl, migratory birds, or upland game birds; (iii) using a tracking dog to retrieve a wounded or dead bear, turkey, or deer pursuant to § 29.1-516.1; (iv) whose dog remains in the immediate visual presence and control of such person, regardless of the species of animal that is otherwise being lawfully pursued; or (v) on public lands where hunting is allowed.

D. Nothing in this section shall be construed to prohibit any activity authorized under § 18.2-136.