

1 H.841
2 Introduced by Representative Waters Evans of Charlotte

3 Referred to Committee on

4 Date:

5 Subject: Public safety; animal welfare

6 Statement of purpose of bill as introduced: This bill proposes to make several
7 changes to the laws concerning animal welfare procedures.

8 An act relating to miscellaneous animal welfare procedures

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 ~~Sec. 1. 20 V.S.A. chapter 190 is amended to read:~~

11 CHAPTER 190. DIVISION OF ANIMAL WELFARE

12 § 3201. DEFINITIONS

13 As used in this subchapter:

14 (1) "Animal" has the same meaning as in 13 V.S.A. § 351, provided that
15 the animals or activities regulated under this chapter shall not apply to:

16 (A) activities regulated by the Department of Fish and Wildlife
17 pursuant to 10 V.S.A. Part 4;

18 (B) scientific research governed by accepted procedural standards

19 ~~subject to review by an institutional animal care and use committee,~~

1 (C) livestock and poultry husbandry practices for the raising,
2 management, and use of domestic animals;

3 (D) veterinary medical or surgical procedures; and

4 (E) the killing of an animal as authorized pursuant to sections 3809
5 and 3545 of this title.

6 (2) "Director" means the Director of Animal Welfare and includes the
7 Director's designee.

8 (3) "Division" means the Division of Animal Welfare.

9 (4) "Domestic animal" has the same meaning as in 6 V.S.A. § 1151(2).

10 § 3202. ESTABLISHMENT OF DIVISION OF ANIMAL WELFARE;

11 POWERS AND DUTIES

12 (a)(1) The Division of Animal Welfare is established within the
13 Department of Public Safety. The Commissioner of Public Safety shall
14 appoint a Director of Animal Welfare who shall be in immediate charge of the
15 Division. The Director shall be qualified by education and professional
16 experience to perform the duties of the position. The Director shall have at
17 least the following minimum qualifications:

18 (A) experience in interpreting or knowledge of animal welfare laws
19 and rules;

20 (B) knowledge of animal welfare stakeholders in the State and
21 regionally, and

1 (C) knowledge of the causes and characteristics of animal welfare
2 and animal cruelty issues.

3 (2) The Director position shall be a classified service position in the
4 Department of Public Safety.

5 (b)(1) The Director shall develop a comprehensive plan for the
6 development, implementation, and enforcement of the animal welfare laws of
7 the State. In developing the comprehensive plan, the Director shall first
8 review the 2023 Report on Unification of Animal Welfare and Related Public
9 Safety Function and similar reports and proposed legislation. The plan shall
10 include:

11 (A) how the Director shall oversee investigation and response to
12 animal cruelty complaints in the State in order to provide the best services to
13 Vermont's animals statewide;

14 (B) how the Director shall coordinate administration and
15 enforcement of animal welfare laws in the State in a collaborative manner with
16 those law enforcement officers and municipalities that retain authority to
17 enforce animal cruelty requirements in the State;

18 (C) how the State should address the extent and scope of any
19 deficiencies in Vermont's system of investigating and responding to animal
20 cruelty complaints,

1 (D) how the State should ensure that investigations of animal cruelty
2 complaints are conducted according to systematic and documented written
3 standard operating procedures and checklists;

4 (E) a proposal to house and care for animals seized in response to
5 complaints of animal cruelty, including how to pay for the care of seized
6 animals;

7 (F) a proposal for funding animal welfare administration and
8 enforcement in the State, including potential sources of public and private
9 funding; and

10 (G) recommended amendments to animal welfare statutes or rules,
11 including standards of care for animals housed or imported by animal shelters
12 or rescue organizations.

13 (2) The Director of Animal Welfare shall submit the comprehensive
14 plan required by this subsection and any revisions thereto to the House
15 Committee on Government Operations and Military Affairs and the Senate
16 Committee on Government Operations not later than eight months after the
17 date of hiring of the Director.

18 (c) The Director of Animal Welfare shall consult with other State agencies
19 that respond to animal welfare complaints or with animal welfare
20 responsibilities to estimate the number and type of animal welfare complaints
21 received by State agencies and to quantify the amount of time State agency

1 ~~staff expend in fulfilling animal welfare responsibilities, including the costs to~~
2 agencies of fulfilling the responsibilities.

3 (d) The Director of Animal Welfare shall be the sole employee of the
4 Division of Animal Welfare until the comprehensive plan required under
5 subdivision (b)(2) of this section is completed and the General Assembly
6 enacts legislation, as needed, to implement the comprehensive plan.

7 (e)(1) The Division of Animal Welfare may adopt rules pursuant to
8 3 V.S.A. chapter 25 to implement the provisions of this chapter.

9 (2) The Division of Animal Welfare shall adopt rules pursuant to
10 3 V.S.A. chapter 25 to:

11 (A) require outdoor cats to be vaccinated for rabies, spayed or
12 neutered, and licensed, including a definition of outdoor cats and a provision
13 that indoor cats shall not be subject to the rule's requirements; and

14 (B) implement the certified rabies vaccinator program established by
15 section 3814 of this title.

16 (f) The Director of Animal Welfare shall have the same authority to inspect
17 pet dealers, animal shelters, rescue organizations, and kennels as municipal
18 animal control officers have to inspect pet dealers under chapter 19,
19 subchapter 3 of this title.

20 (g) Notwithstanding any other provision of law, the Director of Animal
21 welfare shall have the same authority that the Secretary and municipal

1 ~~legislative bodies have under chapters 1, 2, and 3 of this title to issue notices of~~
2 violation of license requirements, apply to the Civil Division of the Superior
3 Court to enjoin the violation of licensing provisions, suspend licenses, impose
4 penalties for violations of license requirements, and revoke or suspend
5 licenses.

6 § 3203. ANIMAL WELFARE FUND

7 (a) The Animal Welfare Fund is established within the Department of
8 Public Safety to fund the expenses incurred by the Division of Animal Welfare
9 in implementing the requirements of this chapter. The Director of Animal
10 Welfare shall administer the Fund.

11 (b) The Fund shall consist of:

12 (1) 67 percent of the revenue collected from the surcharge assessed
13 under subsection 3581(f) of this title; and

14 (2) appropriations made by the General Assembly;

15 (3) any donations or gifts made to the Fund; and

16 (4) revenue from the Animal Welfare Fund checkoff under 32 V.S.A.

17 § 5862g.

18 (c) All balances in the Fund at the end of the fiscal year shall be carried
19 forward. Interest earned by the Fund shall remain in the Fund.

20 Sec. 2. 20 V.S.A. § 3581 is amended to read:

21 ~~§ 3581. GENERAL REQUIREMENTS~~

1 ~~(a)(1) A person who is the owner of a dog or wolf hybrid more than six~~
2 months old shall annually on or before April 1 cause it to be registered,
3 numbered, described, and licensed on a form approved by the Secretary for
4 one year from that day in the office of the clerk of the municipality in which
5 the dog or wolf-hybrid is kept. A person who owns a working farm dog and
6 who intends to use that dog on a farm pursuant to the exemptions in section
7 3549 of this title shall cause the working farm dog to be registered as a
8 working farm dog and shall, in addition to all other fees required by this
9 section, pay \$5.00 for a working farm dog license. The owner of a dog or
10 wolf-hybrid shall cause it to wear a collar and attach a license tag issued by the
11 municipal clerk to the collar. Dog or wolf-hybrid owners shall pay for the
12 license \$4.00 for each neutered dog or wolf-hybrid, and \$8.00 for each
13 unneutered dog or wolf-hybrid. If the license fee for any dog or wolf-hybrid is
14 not paid on or before April 1, its owner or keeper may thereafter procure a
15 license for that license year by paying a fee of 50 percent in excess of that
16 otherwise required.

17 (2) A person shall not own more than 35 dogs licensed under this
18 section. When calculating the number of dogs permitted under this subsection,
19 dogs less than four months old and dogs that have been spayed or neutered
20 shall not be counted.

1 ~~(b) Before a person shall be entitled to obtain a license for a neutered dog~~
2 or wolf-hybrid, ~~he or she~~ the person shall exhibit to the clerk a certificate
3 signed by a duly licensed veterinarian showing that the dog or wolf-hybrid has
4 been sterilized.

5 * * *

6 (d)(1) Before obtaining a license for a dog or wolf-hybrid six months of
7 age or older, a person shall deliver to the municipal clerk a certificate or a
8 certified copy thereof issued by a duly licensed veterinarian, stating that the
9 dog or wolf-hybrid has received a current preexposure rabies vaccination with
10 a vaccine approved by the Secretary, and the person shall certify that the dog
11 or wolf-hybrid described in the certificate or copy is the dog or wolf-hybrid to
12 be licensed. The municipal clerk shall keep the certificates or copies thereof
13 on file. The Secretary shall prescribe the size and format of rabies certificates.
14 The owner of any such dog or wolf-hybrid shall maintain a copy of the rabies
15 vaccination form and provide it to State or municipal officials upon request.

16 (2) Before obtaining a license for a wolf-hybrid six months of age or
17 older, a person shall deliver to the municipal clerk a certificate or a certified
18 copy thereof, issued by a duly licensed veterinarian, stating that the wolf-
19 hybrid has been spayed or neutered.

20 * * *

21 ~~Sec. 5. 20 V.S.A. § 5583 is amended to read.~~

~~§ 3582. DOMESTIC PETS AND WOLF HYBRIDS KEPT FOR BREEDING~~

~~PURPOSES~~

~~(a) The owner or keeper of domestic pets and wolf hybrids kept for breeding purposes may take out annually, on or before April 1, a special license for the domestic pets or wolf hybrids, provided:~~

~~(1) He or she keeps the domestic pets or wolf hybrids within a proper enclosure. A proper enclosure is a locked fence or structure of sufficient height and sufficient depth into the ground to prevent the entry of young children and to prevent the animal from escaping. A proper enclosure also provides humane shelter for the animal.~~

~~(2) The domestic pets or wolf hybrids at all times have a current vaccination against rabies.~~

~~(3) When the number of domestic pets or wolf hybrids so kept does not exceed ten, the fee shall be \$30.00 and for each additional domestic pet or wolf hybrid so kept, an annual fee of \$3.00.~~

~~(b) Domestic pets and wolf hybrids covered by the special license pursuant to this section shall be exempt from other license fees, and all licenses under this section are exempt from the surcharge enacted under subsection (c) of section 3581 of this title.~~

~~(c) If the license fee is not paid by April 1, the owner or keeper may thereafter procure a license for that license year by paying a fee of 50 percent~~

1 ~~in excess of that otherwise required. These license fees are in addition to any~~
2 ~~fees required for the operation of a kennel under subchapter 3 of this chapter.~~

3 [Repealed.]

4 Sec. 4. 20 V.S.A. § 3682 is amended to read:

5 § 3682. INSPECTION OF PREMISES

6 (a) The pet dealer's premises may be inspected upon the issuance of the pet
7 dealer permit or at any time the pet dealer permit is in effect. Inspections may
8 be conducted by a municipal animal control officer, a law enforcement officer
9 as that term is defined in 23 V.S.A. § 4(11), the Director of Animal Welfare, or
10 a representative of the Agency of Agriculture, Food and Markets. The
11 inspector may, at his or her the inspector's discretion and with the approval of
12 the municipality, be accompanied by a veterinarian or an officer or agent of a
13 humane society incorporated in Vermont. This section shall not create an
14 obligation on the part of any municipal legislative body to conduct inspections.

15 * * *

16 Sec. 5. 20 V.S.A. § 3813a is added to read:

17 § 3813a. CERTIFIED RABIES VACCINATOR PROGRAM

18 (a) As used in this section:

19 (1) "Certified rabies vaccinator" means a person certified to administer
20 rabies vaccine to animals under the certified rabies vaccinator program
21 established pursuant to subsection (b) of this section.

1 ~~(2) "Humane officer" has the same meaning as in 13 V.S.A. § 351.~~

2 (b) The Director of Animal Welfare shall, in consultation with Vermont
3 veterinarians, establish a program to train humane officers as certified rabies
4 vaccinators. The program shall include training in properly storing and
5 administering rabies vaccines, issuing rabies certificates, and providing
6 information to owners and keepers of animals to be vaccinated. The Director
7 of Animal Welfare shall certify a humane officer who satisfactorily completes
8 the program as a certified rabies vaccinator.

9 (c) A certified rabies vaccinator shall:

10 (1) not accept compensation for administering rabies vaccines or
11 providing services related to rabies vaccination; and

12 (2) be immune from liability to the same extent as a volunteer is
13 immune from liability for conducting or assisting with rabies inoculations
14 under section 3812 of this title.

15 Sec. 6. 20 V.S.A. § 3903 is amended to read:

16 § 3903. ANIMAL SHELTERS AND RESCUE ORGANIZATIONS

17 (a) [Repealed.]

18 (b) Animal intake. An animal shelter or rescue organization as defined by
19 section 3901 of this title shall ~~make every effort to~~ collect the following
20 information, if available, about an animal it accepts and report the information on
21 to the Director of Animal Welfare. the name and address of the person

1 ~~transferring the animal and, if known, the name of the animal; its vaccination~~
2 history; and other information concerning the background, temperament, and
3 health of the animal.

4 * * *

5 Sec. 7. 20 V.S.A. § 3907 is amended to read:

6 § 3907. DENIAL OR REVOCATION OF REGISTRATION OR LICENSE

7 Issuance of a certificate of registration may be denied to any animal shelter,
8 rescue organization, pet dealer, or fair, or a license may be denied to any
9 public auction or pet shop or any certificate or license previously granted
10 under this chapter may be revoked by the Secretary if, after public hearing, it
11 is determined that the housing facilities or primary enclosures are inadequate
12 for the purposes of this chapter or if the feeding, watering, sanitizing, and
13 housing practices of the animal shelter, rescue organization, fair, public
14 auction, or pet shop, as the case may be, are not consistent with this chapter or
15 with rules adopted under this chapter.

16 Sec. 8. 20 V.S.A. § 3911 is amended to read:

17 § 3911. PENALTIES

18 (a) Any person licensed or registered under this chapter who fails to
19 provide animals under the person's care or custody with adequate food or
20 ~~adequate water, as defined in section 3901 of this title, or who fails to house~~

1 ~~animals in the person's care or custody in a manner that is adequate for their~~
2 welfare, shall be fined not more than \$500.00.

3 (b) Any person who operates a fair or public auction or who transacts
4 business as a pet shop, animal shelter, pet dealer, or rescue organization
5 without being duly licensed or without possessing a proper certificate of
6 registration, as the case may be, as required under this chapter, or who violates
7 any provision of this chapter or of any rule lawfully adopted under its
8 authority for which no other penalty is provided shall be fined not more than
9 \$300.00 or imprisoned for not more than six months, or both.

10 (c) The Secretary may assess administrative penalties under 6 V.S.A.
11 §§ 15–17, not to exceed \$1,000.00, for violations of this chapter.

12 Sec. 9. 20 V.S.A. § 3915 is amended to read:

13 § 3915. HEALTH CERTIFICATE AND LICENSING REQUIREMENTS
14 FOR TRANSPORT INTO STATE

15 (a) A dog, cat, ferret, or wolf-hybrid imported into the State for sale,
16 resale, exchange, or donation shall be accompanied by an official health
17 certificate or similar certificate of inspection for the dog, cat, ferret, or wolf-
18 hybrid issued by a veterinarian licensed in the state or country of origin. The
19 certificate shall certify that:

20 (1) the dog, cat, ferret, or wolf-hybrid has been inspected and is free of
21 ~~visible signs of infections or contagious or communicable disease, and~~

1 ~~(2) if the dog, cat, ferret, or wolf hybrid is more than three months of~~
2 age, the dog, cat, ferret, or wolf-hybrid has a current rabies vaccination or is a
3 specific breed for which a rabies vaccination is not age-appropriate.

4 (b) A dog, cat, ferret, or wolf-hybrid shall not be imported into Vermont
5 for sale, resale, exchange, or donation by a shelter or rescue organization in
6 another state unless the shelter or rescue organization is licensed by the
7 originating state.

8 (c) The Agency of Agriculture, Food and Markets may adopt rules
9 regarding the issuance and contents of any certificate required under
10 subsection (a) of this section.

11 Sec. 10. 20 V.S.A. § 3916 is added to read:

12 § 3916. INSURANCE

13 Pet dealers, animal shelters, rescue organizations, and keepers of animals
14 for breeding purposes shall, as a condition of their licenses or certificates of
15 registration, be required to obtain and maintain a commercially reasonable
16 level of general liability insurance.

17 Sec. 11. 20 V.S.A. § 3917 is added to read:

18 § 3917. ADVERTISING

19 (a) All advertisements of animals for adoption in Vermont shall contain:

20 (1) the current location of the animal; and

21 ~~(2) the advertiser's license number, if any.~~

1 ~~(b) For purposes of advertising on social media accounts, subsection (a) of~~
2 this section shall only apply to advertisers located in Vermont or subject to
3 section 3915 of this title for importing animals into Vermont.

4 Sec. 12. 32 V.S.A. § 5862g is added to read:

5 § 5862g. VERMONT ANIMAL WELFARE FUND CHECKOFF

6 (a) Returns filed by individuals shall include, on a form prescribed by the
7 Commissioner of Taxes, an opportunity for the taxpayer to designate funds to
8 the Animal Welfare Fund established by 20 V.S.A. § 3203.

9 (b) Amounts designated under subsection (a) of this section shall be
10 deducted from refunds due to, or an overpayment made by, the designating
11 taxpayer. All amounts so designated and deducted shall be deposited in an
12 account by the Commissioner of Taxes for payment to the Animal Welfare
13 Fund. If at any time after the payment of amounts so designated to the account
14 it is determined that the taxpayer was not entitled to all or any part of the
15 amount so designated, the Commissioner may assess, and the account shall
16 then pay to the Commissioner, the amount received, together with interest at
17 the rate prescribed by section 3108 of this title, from the date the payment was
18 made until the date of repayment.

19 (c) The Commissioner of Taxes shall explain to taxpayers the purpose of
20 the account and how to contribute to it. The Commissioner shall provide
21 notice in the instructions for the State individual income tax return as to how

1 ~~to obtain a copy of the annual income and expense report of the Animal~~
2 ~~Welfare Fund.~~

3 (d) If amounts paid with respect to a return are insufficient to cover both
4 the amount owed on the return under this chapter and the amount designated as
5 a contribution to the Animal Welfare Fund, the payment shall first be applied
6 to the amount owed on the return under this chapter, and the balance, if any,
7 shall be deposited in the Fund.

8 (e) Nothing in this section shall be construed to require the Commissioner
9 to collect any amount designated as a contribution to the Animal Welfare
10 Fund.

11 Sec. 13. EFFECTIVE DATE

~~This act shall take effect on passage.~~

Sec. 1. 20 V.S.A. chapter 190 is amended to read:

CHAPTER 190. DIVISION OF ANIMAL WELFARE

§ 3201. DEFINITIONS

As used in this subchapter:

(1) "Animal" has the same meaning as in 13 V.S.A. § 351, provided that the animals or activities regulated under this chapter shall not apply to:

(A) activities regulated by the Department of Fish and Wildlife pursuant to 10 V.S.A. Part 4;

(B) scientific research governed by accepted procedural standards subject to review by an institutional animal care and use committee;

(C) livestock and poultry husbandry practices for the raising, management, and use of domestic animals;

(D) veterinary medical or surgical procedures; and

(E) the killing of an animal as authorized pursuant to sections 3809 and 3545 of this title.

(2) "Director" means the Director of Animal Welfare and includes the Director's designee.

(3) "Division" means the Division of Animal Welfare.

(4) "Domestic animal" has the same meaning as in 6 V.S.A. § 1151(2).

§ 3202. ESTABLISHMENT OF DIVISION OF ANIMAL WELFARE;

POWERS AND DUTIES

(a)(1) The Division of Animal Welfare is established within the Department of Public Safety. The Commissioner of Public Safety shall appoint a Director of Animal Welfare who shall be in immediate charge of the Division. The Director shall be qualified by education and professional experience to perform the duties of the position. The Director shall have at least the following minimum qualifications:

(A) experience in interpreting or knowledge of animal welfare laws and rules;

(B) knowledge of animal welfare stakeholders in the State and regionally; and

(C) knowledge of the causes and characteristics of animal welfare and animal cruelty issues.

(2) The Director position shall be a classified service position in the Department of Public Safety.

(b)(1) The Director shall develop a comprehensive plan for the development, implementation, and enforcement of the animal welfare laws of the State. In developing the comprehensive plan, the Director shall first review the 2023 Report on Unification of Animal Welfare and Related Public Safety Function and similar reports and proposed legislation. The plan shall include:

(A) how the Director shall oversee investigation and response to animal cruelty complaints in the State in order to provide the best services to Vermont's animals statewide;

(B) how the Director shall coordinate administration and enforcement of animal welfare laws in the State in a collaborative manner with those law enforcement officers and municipalities that retain authority to enforce animal cruelty requirements in the State;

(C) how the State should address the extent and scope of any deficiencies in Vermont's system of investigating and responding to animal cruelty complaints;

(D) how the State should ensure that investigations of animal cruelty complaints are conducted according to systematic and documented written standard operating procedures and checklists;

(E) a proposal to house and care for animals seized in response to complaints of animal cruelty, including how to pay for the care of seized animals;

(F) a proposal for funding animal welfare administration and enforcement in the State, including potential sources of public and private funding; and

(G) recommended amendments to animal welfare statutes or rules, including standards of care for animals housed or imported by animal shelters or rescue organizations.

(2) The Director of Animal Welfare shall submit the comprehensive plan required by this subsection and any revisions thereto to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations not later than eight months after the date of hiring of the Director.

(c) The Director of Animal Welfare shall consult with other State agencies that respond to animal welfare complaints or with animal welfare responsibilities to estimate the number and type of animal welfare complaints received by State agencies and to quantify the amount of time State agency

staff expend in fulfilling animal welfare responsibilities, including the costs to agencies of fulfilling the responsibilities.

(d) The Director of Animal Welfare shall be the sole employee of the Division of Animal Welfare until the comprehensive plan required under subdivision (b)(2) of this section is completed and the General Assembly enacts legislation, as needed, to implement the comprehensive plan.

(e)(1) The Division of Animal Welfare may adopt rules pursuant to 3 V.S.A. chapter 25 to implement the provisions of this chapter.

~~*(2) The Division of Animal Welfare shall adopt rules pursuant to 3 V.S.A. chapter 25 to implement a certified rabies vaccinator program pursuant to the following standards:*~~

~~*(A) The Director shall consult with Vermont veterinarians for purposes of developing the rules and administering the program.*~~

~~*(B) The program shall permit licensed veterinarians to train and authorize veterinary and animal shelter staff to administer rabies vaccinations under the veterinarian's direct or indirect supervision.*~~

~~*(C) The program shall authorize the Director of Animal Welfare, in consultation with Vermont veterinarians, to establish a program to train humane officers as certified rabies vaccinators.*~~

~~*(D) The program shall include training in properly storing and administering rabies vaccines, issuing rabies certificates, record-keeping*~~

~~requirements, and providing information to owners and keepers of animals to be vaccinated.~~

(2) The Division of Animal Welfare shall adopt rules pursuant to 3 V.S.A. chapter 25 to implement a certified rabies vaccinator program pursuant to the following standards:

(A) The Director shall work collaboratively with the Vermont Veterinary Medical Association for purposes of developing the rules and administering the program.

(B) The program shall permit licensed veterinarians to train and authorize veterinary and animal shelter staff to administer rabies vaccinations under the veterinarian's direct or indirect supervision.

(C) The program shall authorize the Director of Animal Welfare, in collaboration with the Vermont Veterinary Medical Association, to establish a program to train humane officers as certified rabies vaccinators.

(D) The program shall include training in properly storing and administering rabies vaccines, issuing rabies certificates, record-keeping requirements, and providing information to owners and keepers of animals to be vaccinated.

(f)(1) The Director of Animal Welfare shall require that animal shelters, rescue organizations, dog breeders, and any other person importing domestic pets into the State of Vermont for adoption, sale, other transfer, or breeding

shall register with the Division of Animal Welfare. The registration required by this subsection shall include information on animal intake, production, inventory, and disposition. No fee shall be charged for the registration.

(2) If a person fails to register as required by subdivision (1) of this subsection the Director shall:

(A) for a first violation, issue the person a warning; and

(B) for a second or subsequent violation, issue a fine and a cease and desist order to the same extent that the Secretary and municipal legislative bodies have authority to issue such orders under chapter 193 of this title.

(3) This subsection shall not apply to an individual importing a domestic pet for personal purposes.

§ 2203. ANIMAL WELFARE FUND

(a) The Animal Welfare Fund is established within the Department of Public Safety to fund the expenses incurred by the Division of Animal Welfare in implementing the requirements of this chapter. The Director of Animal Welfare shall administer the Fund.

(b) The Fund shall consist of:

(1) 67 percent of the revenue collected from the surcharge assessed under subsection 3581(f) of this title; and

(2) appropriations made by the General Assembly:

~~(2) any donations, grants, or gifts made to the Fund; and~~

~~(4) revenue from the Animal Welfare Fund checkoff under 32 V.S.A.~~

~~§ 5862g.~~

~~(c) All balances in the Fund at the end of the fiscal year shall be carried forward. Interest earned by the Fund shall remain in the Fund.~~

§ 3203. ANIMAL WELFARE FUND

(a) The Animal Welfare Fund is established within the Department of Public Safety to fund the expenses incurred by the Division of Animal Welfare in implementing the requirements of this chapter. The Director of Animal Welfare shall administer the Fund.

(b) The Fund shall consist of:

(1) 67 percent of the revenue collected from the surcharge assessed under subsection 3581(f) of this title; ~~and~~

(2) ~~appropriations~~ transfers made by the General Assembly; and

(3) any donations, grants, or gifts made to the Fund.

(c) All balances in the Fund at the end of the fiscal year shall be carried forward. Interest earned by the Fund shall remain in the Fund.

Sec. 2. 20 V.S.A. § 3552 is added to read:

§ 3552. SEXUAL STERILIZATION OF STRAY CATS WITH NO KNOWN
OWNER

An animal shelter or rescue organization that, pursuant to a contract with a municipal legislative body, impounds a stray cat with no known owner may have the cat sexually sterilized not sooner than one day after the impound.

Sec. 3. 20 V.S.A. § 3581 is amended to read:

§ 3581. GENERAL REQUIREMENTS

(a)(1) A person who is the owner of a dog or wolf-hybrid more than six months old shall annually on or before April 1 cause it to be registered, numbered, described, and licensed on a form approved by the Secretary for one year from that day in the office of the clerk of the municipality in which the dog or wolf-hybrid is kept. A person who owns a working farm dog and who intends to use that dog on a farm pursuant to the exemptions in section 3549 of this title shall cause the working farm dog to be registered as a working farm dog and shall, in addition to all other fees required by this section, pay \$5.00 for a working farm dog license. The owner of a dog or wolf-hybrid shall cause it to wear a collar and attach a license tag issued by the municipal clerk to the collar. Dog or wolf-hybrid owners shall pay for the license \$4.00 for each neutered dog or wolf-hybrid, and \$8.00 for each unneutered dog or wolf-hybrid. If the license fee for any dog or wolf-hybrid is not paid on or before April 1, its owner or keeper may thereafter procure a license for that license year by paying a fee of 50 percent in excess of that otherwise required.

(2) A person shall not own more than 35 dogs. When calculating the number of dogs permitted under this subsection, dogs less than four months old and dogs that have been sexually sterilized shall not be counted.

(b) Before a person shall be entitled to obtain a license for a neutered dog or wolf-hybrid, ~~he or she~~ the person shall exhibit to the clerk a certificate signed by a duly licensed veterinarian showing that the dog or wolf-hybrid has been sexually sterilized.

* * *

(d)(1) Before obtaining a license for a dog or wolf-hybrid ~~six months of age or older~~, a person shall deliver to the municipal clerk a certificate or a certified copy thereof issued by a duly licensed veterinarian, stating that the dog or wolf-hybrid has received a current preexposure rabies vaccination with a vaccine approved by the Secretary, and the person shall certify that the dog or wolf-hybrid described in the certificate or copy is the dog or wolf-hybrid to be licensed. The municipal clerk shall keep the certificates or copies thereof on file. The Secretary shall prescribe the size and format of rabies certificates. The owner of any such dog or wolf-hybrid shall maintain a copy of the rabies vaccination form and provide it to State or municipal officials upon request.

(2) Before obtaining a license for a wolf-hybrid, a person shall deliver to the municipal clerk a certificate or a certified copy thereof, issued by a duly licensed veterinarian, stating that the wolf-hybrid has been sexually sterilized.

* * *

Sec. 4. 20 V.S.A. § 3583 is amended to read:

§ 3583. DOMESTIC PETS AND WOLF-HYBRIDS KEPT FOR BREEDING

PURPOSES

(a) The owner or keeper of domestic pets and wolf-hybrids kept for breeding purposes may take out annually, on or before April 1, a special license for the domestic pets or wolf-hybrids, provided:

(1) He or she keeps the domestic pets or wolf-hybrids within a proper enclosure. A proper enclosure is a locked fence or structure of sufficient height and sufficient depth into the ground to prevent the entry of young children and to prevent the animal from escaping. A proper enclosure also provides humane shelter for the animal.

(2) The domestic pets or wolf-hybrids at all times have a current vaccination against rabies.

(3) When the number of domestic pets or wolf-hybrids so kept does not exceed ten, the fee shall be \$30.00 and for each additional domestic pet or wolf hybrid so kept, an annual fee of \$3.00.

(b) Domestic pets and wolf-hybrids covered by the special license pursuant to this section shall be exempt from other license fees, and all licenses under this section are exempt from the surcharge enacted under subsection (c) of section 3581 of this title.

~~(e) If the license fee is not paid by April 1, the owner or keeper may thereafter procure a license for that license year by paying a fee of 50 percent in excess of that otherwise required. These license fees are in addition to any fees required for the operation of a kennel under subchapter 3 of this chapter.~~

~~[Repealed.]~~

~~Sec. 5. 20 V.S.A. § 3682 is amended to read:~~

~~§ 3682. INSPECTION OF PREMISES~~

~~(a) The pet dealer's premises may be inspected upon the issuance of the pet dealer permit or at any time the pet dealer permit is in effect. Inspections may be conducted by a municipal animal control officer, a law enforcement officer as that term is defined in 23 V.S.A. § 4(11), or a representative of the Agency of Agriculture, Food and Markets. The inspector may, at his or her the inspector's discretion and with the approval of the municipality, be accompanied by a veterinarian or an officer or agent of a humane society incorporated in Vermont. This section shall not create an obligation on the part of any municipal legislative body to conduct inspections.~~

~~* * *~~

~~Sec. 6. 20 V.S.A. § 3814 is amended to read:~~

~~§ 3814. FINDINGS~~

~~The General Assembly finds:~~

(1) *The supply of dogs, cats, and wolf-hybrids in Vermont is a major concern.*

(2) *There are insufficient resources in this State to care for or provide homes for these animals.*

(3) *Many of these animals are ultimately euthanized or become victims of accidents, starvation, or disease.*

(4) *Pet owners who have limited economic resources have great difficulty affording the cost of professional ~~spaying and neutering~~ sexual sterilization services.*

Sec. 7. 20 V.S.A. § 3815 is amended to read:

*§ 3815. DOG, CAT, AND WOLF-HYBRID ~~SPAYING AND NEUTERING~~
SEXUAL STERILIZATION PROGRAM*

(a) The Agency of Human Services shall administer a dog, cat, and wolf-hybrid ~~spaying and neutering~~ sexual sterilization program providing reduced-cost ~~spaying and neutering~~ sexual sterilization services and presurgical immunization for dogs, cats, and wolf-hybrids owned or cared for by individuals with low income. The Agency ~~shall~~ may implement the program through an agreement with a qualified organization consistent with the applicable administrative rules.

(b) The program shall reimburse veterinarians who voluntarily consent to ~~spay or neuter~~ sexually sterilize dogs, cats, and wolf-hybrids under the

auspices of the program. The reimbursement shall be less any co-payment by the owner of a dog, cat, or wolf-hybrid for the cost of each ~~spaying or neutering~~ sexual sterilization procedure.

* * *

Sec. 8. 20 V.S.A. § 3816 is amended to read:

§ 3816. ~~ANIMAL SPAYING AND NEUTERING~~ SEXUAL

STERILIZATION FUND; CREATION

(a) There is created, pursuant to 32 V.S.A. chapter 7, subchapter 5, in the Agency of Human Services the Dog, Cat, and Wolf-Hybrid ~~Spaying and Neutering~~ Sexual Sterilization Special Fund to finance the costs of the dog, cat, and wolf-hybrid ~~spaying and neutering~~ sexual sterilization program established in section 3815 of this title.

(b) Revenue for the Fund shall be derived from:

(1) the surcharge payment paid to a municipality pursuant to subdivision 3581(c)(1) of this title;

(2) gifts from private donors; and

(3) any appropriation that the General Assembly makes to the Fund.

(c) Interest earned on the Fund shall be retained in the Fund.

(d) The Agency of Human Services shall use the revenue in the Fund created in subsection (a) of this section for administering the dog, cat, and wolf-hybrid ~~spaying and neutering~~ sexual sterilization program.

Sec. 9. 20 V.S.A. § 3903 is amended to read:

§ 3903. ANIMAL SHELTERS AND RESCUE ORGANIZATIONS

(a) [Repealed.]

(b) Animal intake. An animal shelter or rescue organization as defined by section 3901 of this title shall ~~make every effort to~~ collect the following information, if available, about an animal it accepts and report the information to the Director of Animal Welfare: the name and address of the person transferring the animal and, if known, the name of the animal; its vaccination history; and other information concerning the background, temperament, and health of the animal.

** * **

Sec. 10. 20 V.S.A. § 3907 is amended to read:

§ 3907. DENIAL OR REVOCATION OF REGISTRATION OR LICENSE

Issuance of a certificate of registration may be denied to any animal shelter, rescue organization, pet dealer, or fair, or a license may be denied to any public auction or pet shop or any certificate or license previously granted under this chapter may be revoked by the Secretary if, after public hearing, it is determined that the housing facilities or primary enclosures are inadequate for the purposes of this chapter or if the feeding, watering, sanitizing, and housing practices of the animal shelter, rescue organization, fair, public

auction, or pet shop, as the case may be, are not consistent with this chapter or with rules adopted under this chapter:

Sec. 11. 20 V.S.A. § 3911 is amended to read:

§ 3911. PENALTIES

(a) Any person licensed or registered under this chapter who fails to provide animals under the person's care or custody with adequate food or adequate water, as defined in section 3901 of this title, or who fails to house animals in the person's care or custody in a manner that is adequate for their welfare, shall be fined not more than \$500.00.

(b) Any person who operates a fair or public auction or who transacts business as a pet shop, animal shelter, pet dealer, or rescue organization without being duly licensed or without possessing a proper certificate of registration, as the case may be, as required under this chapter; or who violates any provision of this chapter or of any rule lawfully adopted under its authority for which no other penalty is provided shall be fined not more than \$300.00 or imprisoned for not more than six months, or both.

(c) The Secretary may assess administrative penalties under 6 V.S.A. §§ 15–17, not to exceed \$1,000.00, for violations of this chapter.

Sec. 12. 20 V.S.A. § 3915 is amended to read:

§ 3915. HEALTH CERTIFICATE FOR TRANSPORT INTO STATE

(a) A dog, cat, ferret, or wolf-hybrid imported into the State for sale, resale, exchange, or donation shall be accompanied by an official health certificate or similar certificate of inspection for the dog, cat, ferret, or wolf-hybrid issued by a veterinarian licensed in the state or country of origin. The certificate shall certify that:

(1) the dog, cat, ferret, or wolf-hybrid has been inspected and is free of visible signs of infections or contagious or communicable disease; ~~and~~

(2) if the dog, cat, ferret, or wolf-hybrid is more than three months of age, the dog, cat, ferret, or wolf-hybrid has a current rabies vaccination or is a specific breed for which a rabies vaccination is not age-appropriate; and

(3) if the wolf-hybrid is more than four months of age, the wolf-hybrid has been sexually sterilized.

(b) The Agency of Agriculture, Food and Markets may adopt rules regarding the issuance and contents of any certificate required under subsection (a) of this section.

Sec. 13. 20 V.S.A. § 3916 is added to read:

§ 3916. INSURANCE

Pet dealers, animal shelters, rescue organizations, and keepers of animals for breeding purposes shall, as a condition of their licenses or certificates of registration, be required to obtain and maintain a commercially reasonable level of general liability insurance.

Sec. 14. 20 V.S.A. § 3917 is added to read:

§ 3917. ADVERTISING

(a) All advertisements of domestic pets for adoption or sale in Vermont shall contain:

(1) the current location of the domestic pet;

(2) the municipality and state in which the domestic pet was located at the time the advertisement was placed;

(3) the advertiser's rescue or shelter license number, if any; and

(4) the advertiser's license number, if any.

(b) For purposes of advertising on social media accounts, subsection (a) of this section shall only apply to advertisers located in Vermont or transferring or offering to transfer domestic pets in the State of Vermont.

Sec. 15. 32 V.S.A. § 5862g is added to read:

§ 5862g. VERMONT ANIMAL WELFARE FUND CHECKOFF

(a) Returns filed by individuals shall include, on a form prescribed by the Commissioner of Taxes, an opportunity for the taxpayer to designate funds to the Animal Welfare Fund established by 20 V.S.A. § 3203.

(b) Amounts designated under subsection (a) of this section shall be deducted from refunds due to, or an overpayment made by, the designating taxpayer. All amounts so designated and deducted shall be deposited in an account by the Commissioner of Taxes for payment to the Animal Welfare

~~Fund. If at any time after the payment of amounts so designated to the account it is determined that the taxpayer was not entitled to all or any part of the amount so designated, the Commissioner may assess, and the account shall then pay to the Commissioner, the amount received, together with interest at the rate prescribed by section 3108 of this title, from the date the payment was made until the date of repayment.~~

~~(c) The Commissioner of Taxes shall explain to taxpayers the purpose of the account and how to contribute to it. The Commissioner shall provide notice in the instructions for the State individual income tax return as to how to obtain a copy of the annual income and expense report of the Animal Welfare Fund.~~

~~(d) If amounts paid with respect to a return are insufficient to cover both the amount owed on the return under this chapter and the amount designated as a contribution to the Animal Welfare Fund, the payment shall first be applied to the amount owed on the return under this chapter, and the balance, if any, shall be deposited in the Fund.~~

~~(e) Nothing in this section shall be construed to require the Commissioner to collect any amount designated as a contribution to the Animal Welfare Fund.~~

~~Sec. 16~~ Sec. 15. REPORT

On or before December 15, 2026, the Director of Animal welfare shall report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations on the next steps necessary for the creation of a comprehensive animal welfare program in Vermont. The Director shall consult with stakeholders and registrants for purposes of preparing the report required by this section.

~~Sec. 17~~ Sec. 16. EFFECTIVE DATE

This act shall take effect on passage.