

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations and Military Affairs to which  
3 was referred House Bill No. 841 entitled “An act relating to miscellaneous  
4 animal welfare procedures” respectfully reports that it has considered the same  
5 and recommends that the bill be amended by striking out all after the enacting  
6 clause and inserting in lieu thereof the following:

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

8 CHAPTER 190. DIVISION OF ANIMAL WELFARE

9 § 3201. DEFINITIONS

10 As used in this subchapter:

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

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

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

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

19 (D) veterinary medical or surgical procedures; and

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

1           (2) “Director” means the Director of Animal Welfare and includes the  
2 Director’s designee.

3           (3) “Division” means the Division of Animal Welfare.

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

5           § 3202. ESTABLISHMENT OF DIVISION OF ANIMAL WELFARE;

6                           POWERS AND DUTIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (c) The Director of Animal Welfare shall consult with other State agencies  
13 that respond to animal welfare complaints or with animal welfare  
14 responsibilities to estimate the number and type of animal welfare complaints  
15 received by State agencies and to quantify the amount of time State agency  
16 staff expend in fulfilling animal welfare responsibilities, including the costs to  
17 agencies of fulfilling the responsibilities.

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

1           (e)(1) The Division of Animal Welfare may adopt rules pursuant to  
2           3 V.S.A. chapter 25 to implement the provisions of this chapter.

3           (2) The Division of Animal Welfare shall adopt rules pursuant to  
4           3 V.S.A. chapter 25 to implement a certified rabies vaccinator program  
5           pursuant to the following standards:

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

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

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

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

18           ~~(A) require outdoor cats to be vaccinated for rabies, spayed or~~  
19           ~~neutered, and licensed, including a definition of outdoor cats and a provision~~  
20           ~~that indoor cats shall not be subject to the rule’s requirements; and~~

1 ~~(B) implement the certified rabies vaccinator program established by~~  
2 ~~section 3814 of this title.~~

3 ~~(f) The Director of Animal Welfare shall have the same authority to inspect~~  
4 ~~pet dealers, animal shelters, rescue organizations, and kennels as municipal~~  
5 ~~animal control officers have to inspect pet dealers under chapter 193,~~  
6 ~~subchapter 3 of this title.~~

7 ~~(g) Notwithstanding any other provision of law, the Director of Animal~~  
8 ~~Welfare shall have the same authority that the Secretary and municipal~~  
9 ~~legislative bodies have under chapters 1, 2, and 3 of this title to issue notices of~~  
10 ~~violation of license requirements, apply to the Civil Division of the Superior~~  
11 ~~Court to enjoin the violation of licensing provisions, suspend licenses, impose~~  
12 ~~penalties for violations of license requirements, and revoke or suspend~~  
13 ~~licenses.~~

14 ~~(f)(1) The Director of Animal Welfare shall require that animal shelters,~~  
15 ~~rescue organizations, dog breeders, and any other person importing domestic~~  
16 ~~pets into the State of Vermont for adoption, sale, other transfer, or breeding~~  
17 ~~shall register with the Division of Animal Welfare. The registration required~~  
18 ~~by this subsection shall include information on animal intake, production,~~  
19 ~~inventory, and disposition. No fee shall be charged for the registration.~~

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

- 1           (A) for a first violation, issue the person a warning; and  
2           (B) for a second or subsequent violation, issue a fine and a cease and  
3 desist order to the same extent that the Secretary and municipal legislative  
4 bodies have authority to issue such orders under chapters 1, 2, and 3 of this  
5 title.

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, grants, 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. § 3552 is added to read:

1 § 3552. SEXUAL STERILIZATION OF STRAY CATS WITH NO KNOWN  
2 OWNER

3 An animal shelter or rescue organization that, pursuant to a contract with a  
4 municipal legislative body, impounds a stray cat with no known owner may  
5 have the cat sexually sterilized no sooner than one day after the impound.

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

7 § 3581. GENERAL REQUIREMENTS

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

1 April 1, its owner or keeper may thereafter procure a license for that license  
2 year by paying a fee of 50 percent in excess of that otherwise required.

3 (2) A person shall not own more than 35 dogs licensed under this  
4 section. When calculating the number of dogs permitted under this subsection,  
5 dogs less than four months old and dogs that have been spayed or neutered  
6 sexually sterilized shall not be counted.

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

11 \* \* \*

12 (d)(1) Before obtaining a license for a dog or wolf-hybrid six months of  
13 age or older, a person shall deliver to the municipal clerk a certificate or a  
14 certified copy thereof issued by a duly licensed veterinarian or certified rabies  
15 vaccinator, stating that the dog or wolf-hybrid has received a current  
16 preexposure rabies vaccination with a vaccine approved by the Secretary, and  
17 the person shall certify that the dog or wolf-hybrid described in the certificate  
18 or copy is the dog or wolf-hybrid to be licensed. The municipal clerk shall  
19 keep the certificates or copies thereof on file. The Secretary shall prescribe the  
20 size and format of rabies certificates. The owner of any such dog or wolf-

1 hybrid shall maintain a copy of the rabies vaccination form and provide it to  
2 State or municipal officials upon request.

3 (2) Before obtaining a license for a wolf-hybrid ~~six months of age or~~  
4 ~~older,~~ a person shall deliver to the municipal clerk a certificate or a certified  
5 copy thereof, issued by a duly licensed veterinarian, stating that the wolf-  
6 hybrid has been ~~spayed or neutered~~ sexually sterilized.

7 \* \* \*

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

9 § 3583. ~~DOMESTIC PETS AND WOLF-HYBRIDS KEPT FOR BREEDING~~

10 ~~PURPOSES~~

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

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

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

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

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

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

12           [Repealed.]

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

14           § 3682. INSPECTION OF PREMISES

15           (a) The pet dealer's premises may be inspected upon the issuance of the pet  
16           dealer permit or at any time the pet dealer permit is in effect. Inspections may  
17           be conducted by a municipal animal control officer, a law enforcement officer  
18           as that term is defined in 23 V.S.A. § 4(11), the Director of Animal Welfare, or  
19           a representative of the Agency of Agriculture, Food and Markets. The  
20           inspector may, at his or her the inspector's discretion and with the approval of  
21           the municipality, be accompanied by a veterinarian or an officer or agent of a

1 humane society incorporated in Vermont. This section shall not create an  
2 obligation on the part of any municipal legislative body to conduct inspections.

3 \* \* \*

4 ~~Sec. 4. 20 V.S.A. § 3813a is added to read:~~

5 ~~§ 3813a. CERTIFIED RABIES VACCINATOR PROGRAM~~

6 ~~(a) As used in this section:~~

7 ~~(1) “Certified rabies vaccinator” means a person certified to administer~~  
8 ~~rabies vaccine to animals under the certified rabies vaccinator program~~  
9 ~~established pursuant to subsection (b) of this section.~~

10 ~~(2) “Humane officer” has the same meaning as in 13 V.S.A. § 351.~~

11 ~~(b) The Director of Animal Welfare shall, in consultation with Vermont~~  
12 ~~veterinarians, establish a program to train humane officers as certified rabies~~  
13 ~~vaccinators. The program shall include training in properly storing and~~  
14 ~~administering rabies vaccines, issuing rabies certificates, and providing~~  
15 ~~information to owners and keepers of animals to be vaccinated. The Director~~  
16 ~~of Animal Welfare shall certify a humane officer who satisfactorily completes~~  
17 ~~the program as a certified rabies vaccinator.~~

18 ~~(c) A certified rabies vaccinator shall:~~

19 ~~(1) not accept compensation for administering rabies vaccines or~~  
20 ~~providing services related to rabies vaccination; and~~

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

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

5           § 3814. FINDINGS

6           The General Assembly finds:

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

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

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

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

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

17          § 3815. DOG, CAT, AND WOLF-HYBRID ~~SPAYING AND NEUTERING~~  
18          SEXUAL STERILIZATION PROGRAM

19          (a) The Agency of Human Services shall administer a dog, cat, and wolf-  
20          hybrid ~~spaying and neutering~~ sexual sterilization program providing reduced-  
21          cost spaying and neutering ~~spaying and neutering~~ sexual sterilization services

1 and presurgical immunization for dogs, cats, and wolf-hybrids owned or cared  
2 for by individuals with low income. The Agency ~~shall~~ may implement the  
3 program through an agreement with a qualified organization consistent with  
4 the applicable administrative rules.

5 (b) The program shall reimburse veterinarians who voluntarily consent to  
6 ~~spay or neuter~~ sexually sterilize dogs, cats, and wolf-hybrids under the  
7 auspices of the program. The reimbursement shall be less any co-payment by  
8 the owner of a dog, cat, or wolf-hybrid for the cost of each ~~spaying or~~  
9 ~~neutering~~ sexual sterilization procedure.

10 \* \* \*

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

12 § 3816. ANIMAL ~~SPAYING AND NEUTERING SEXUAL~~  
13 ~~STERILIZATION~~ FUND; CREATION

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

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

20 (1) the surcharge payment paid to a municipality pursuant to subdivision  
21 3581(c)(1) of this title;



1 auction or pet shop or any certificate or license previously granted under this  
2 chapter may be revoked by the Secretary if, after public hearing, it is  
3 determined that the housing facilities or primary enclosures are inadequate for  
4 the purposes of this chapter or if the feeding, watering, sanitizing, and housing  
5 practices of the animal shelter, rescue organization, fair, public auction, or pet  
6 shop, as the case may be, are not consistent with this chapter or with rules  
7 adopted under this chapter.

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

9 § 3911. PENALTIES

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

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

1 (c) The Secretary may assess administrative penalties under 6 V.S.A.  
2 §§ 15–17, not to exceed \$1,000.00, for violations of this chapter.

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

4 § 3915. HEALTH CERTIFICATE ~~AND LICENSING REQUIREMENTS~~  
5 FOR TRANSPORT INTO STATE

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

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

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

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

18 (b) ~~A dog, cat, ferret, or wolf hybrid shall not be imported into Vermont for~~  
19 ~~sale, resale, exchange, or donation by a shelter or rescue organization in~~  
20 ~~another state unless the shelter or rescue organization is licensed by the~~  
21 ~~originating state.~~

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

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

5        § 3916. INSURANCE

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

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

11       § 3917. ADVERTISING

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

13            (1) the current location of the animal;

14            (2) the municipality and state in which the animal was located at the  
15            time the advertisement was placed;

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

17            (5) the advertiser’s license number, if any.

18        (b) For purposes of advertising on social media accounts, subsection (a) of  
19        this section shall only apply to advertisers located in Vermont ~~or subject to~~  
20        ~~section 3915 of this title for importing animals into Vermont~~ or transferring or  
21        offering to transfer animals in the State of Vermont.

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

2 § 5862g. VERMONT ANIMAL WELFARE FUND CHECKOFF

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

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

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

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

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

9        **Sec. 16. REPORT**

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

16        **Sec. 17. EFFECTIVE DATE**

17        This act shall take effect on passage.

18

19

20

21        (Committee vote: \_\_\_\_\_)

1

\_\_\_\_\_

2

Representative \_\_\_\_\_

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FOR THE COMMITTEE