

1 S.292

2 Introduced by Senator Watson

3 Referred to Committee on

4 Date:

5 Subject: Public safety; animal welfare; Division of Animal Welfare; animal  
6 shelters and animal rescue organizations; importation of animals

7 Statement of purpose of bill as introduced: This bill proposes to establish the  
8 Division of Animal Welfare at the Department of Public Safety to develop,  
9 implement, and administer a centralized program for investigating and  
10 enforcing animal welfare requirements in the State. The bill would also amend  
11 or establish standards for the operation of animal shelters and animal rescue  
12 organizations. In addition, the bill would amend or establish requirements for  
13 the importation or transportation of animals into the State.

14 An act relating to animal welfare

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

16 Sec. 1. FINDINGS AND PURPOSE

17 (a) Findings. The General Assembly finds that for the purposes of Secs. 2–  
18 6 of this act:

19 (1) The responsibility for upholding the animal welfare laws of the State  
20 of Vermont is fragmented and spread across various State agencies and

1 municipalities. Multiple agencies, municipalities, and individuals have  
2 individual and concurrent jurisdiction to enforce the animal welfare laws  
3 of the State.

4 (2) Various statutorily delegated functions are not being discharged  
5 because of a lack of resources or expertise.

6 (3) Vermont lacks a comprehensive program that upholds the animal  
7 welfare laws of the State through communication, education, and enforcement.

8 (4) The lack of a comprehensive program that upholds the animal  
9 welfare laws of the State jeopardizes the health and safety of Vermonters and  
10 animals.

11 (b) Purpose. The purpose of Secs. 2–6 of this act are to uphold the animal  
12 welfare laws of the State through communication, education, and enforcement  
13 to ensure the humane and proper treatment of animals and protect the health  
14 and safety of Vermonters.

15 Sec. 2. 20 V.S.A. chapter 190 is added to read:

16 CHAPTER 190. DIVISION OF ANIMAL WELFARE

17 Subchapter 1. General Provisions

18 § 3201. DEFINITIONS

19 As used in this subchapter:

20 (1) “Animal” has the same meaning as in 13 V.S.A. § 351.

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 defined by 6 V.S.A.  
5           § 1151(2).

6           § 3202. ESTABLISHMENT OF DIVISION OF ANIMAL WELFARE;

7           POWERS AND DUTIES

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

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

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

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

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

1       (b) The Director shall develop, implement, and administer a comprehensive  
2       program that upholds the animal welfare laws of the State through  
3       communication, education, and enforcement.

4       (c) The Director shall oversee investigation and response to animal cruelty  
5       complaints in the State and shall develop a systematic, collaborative approach  
6       to providing the best services to Vermont’s animals statewide. Law  
7       enforcement and municipalities retain authority to enforce animal cruelty  
8       requirements in the State. In carrying out the duties of this section, the  
9       Director shall:

10       (1) monitor the extent and scope of any deficiencies in Vermont’s  
11       system of investigating and responding to animal cruelty complaints;

12       (2) ensure that investigations of animal cruelty complaints are  
13       systematic and documented and develop written standard operating procedures  
14       and checklists to support the objective investigation of cruelty complaints that  
15       include objective measures of both environmental and animal-based evidence  
16       of cruelty;

17       (3) develop and update a plan to house and care for animals seized in  
18       response to complaints of animal cruelty, including how to pay for the care of  
19       seized animals;

1           (4) ensure that requests for voluntary compliance are made in writing,  
2           with clear requests and timelines, and include a timeline for the investigator to  
3           perform a follow-up visit to confirm actions taken;

4           (5) develop a guide for animal cruelty prosecution, including a review of  
5           current sentencing recommendations for State's Attorneys;

6           (6) research the feasibility of developing and implementing an animal  
7           cruelty prevention and education program for offenders to be used as a part of  
8           offenders' sentencing;

9           (7) seek and accept funds from private and public sources of animal  
10          welfare funding;

11          (8) amend rules or standards under this chapter to maintain compliance  
12          with the Association of Shelter Veterinarians' Guidelines for Standards of Care  
13          in Animal Shelters, as those Standards are amended from time to time;

14          (9) develop trainings, protocols, procedures, and guidance documents  
15          for law enforcement officers, municipal animal control officers, and State  
16          agencies engaging in animal welfare responsibilities;

17          (10) authorize organizations that are not licensed in the State as an  
18          animal shelter or as an animal rescue organization to provide care and  
19          sanctuary to animals during emergencies or when necessary to provide  
20          adequate food or adequate shelter for the animal; and

1           (11) develop and identify funding sources for an animal cruelty  
2           investigation training program for law enforcement officers and animal control  
3           officers working for law enforcement.

4           (d)(1) The Director of Animal Welfare shall hire employees necessary to  
5           carry out the Director's duties and to assist in enforcing this chapter, chapter  
6           200 of this title, and 13 V.S.A. chapter 8.

7           (2)(A) The Director may assist or receive assistance from Level III  
8           certified law enforcement officers or trained animal control officers employed  
9           by law enforcement agencies in responding to animal cruelty complaints and  
10           enforcement of the State's animal welfare laws.

11           (B) The Director may request that animal shelters, animal rescue  
12           organizations, or other entities assist in the response to animal cruelty  
13           complaints, including the provision of veterinary care, sanctuary, or shelter.

14           § 3203. ANIMAL WELFARE ADVISORY COUNCIL

15           (a) There is created the Animal Welfare Advisory Council to advise the  
16           Director of Animal Welfare on matters pertaining to animal welfare.

17           (b) The Council consists of 15 members appointed by the Governor as  
18           follows:

19           (1) one member to represent the interests of the Vermont League of  
20           Cities and Towns;

1           (2) three members to represent licensed animal shelters or animal rescue  
2           organizations;

3           (3) one member to represent the interests of dog breeders and associated  
4           groups;

5           (4) one member to represent the interests of veterinarians;

6           (5) one member to represent the interests of the Vermont Criminal  
7           Justice Council;

8           (6) one member to represent licensed boarding kennels;

9           (7) one member to represent licensed pet shops or pet food suppliers;

10          (8) one member who owns a pet to represent the interests of the public  
11          in animal welfare, generally;

12          (9) one member who is an attorney with experience in animal welfare  
13          law or prosecutorial experience within the State court system;

14          (10) one member who is a Level III certified law enforcement officer  
15          who is trained as a humane officer and who has experience in animal cruelty  
16          investigations;

17          (11) one member with expertise in equine care;

18          (12) one member with expertise in management of domestic animals  
19          representing a statewide farming organization; and

20          (13) one municipal animal control officer.

1       (c) The Division of Animal Welfare shall provide necessary staffing  
2       services to the Council.

3       (d) Members of the Council who are not employees of the State of  
4       Vermont and who are not otherwise compensated or reimbursed for their  
5       attendance shall be entitled to per diem compensation and reimbursement of  
6       expenses pursuant to 32 V.S.A. § 1010, paid from the budget of the Agency of  
7       Administration for attendance of meetings of the Council.

8       (e) Each member of the Council shall serve for a term of three years or  
9       until the member's successor has been appointed, except that of the members  
10       first appointed, the Governor shall designate five members for a term of one  
11       year, five members for a term of two years, and five members for a term of  
12       three years. In the case of a vacancy for any reason, the Governor shall  
13       appoint a member representing the same interest to fill the unexpired term.

14       (f) The Council shall elect one of its members as chair. The Chair shall  
15       serve for a two-year period. The Council shall hold regular public meetings  
16       every other month but may waive by majority vote a succeeding meeting. The  
17       Chair shall call special meetings of the Council whenever requested in writing  
18       by two or more Council members.

19       (g) The Council shall perform the following duties:

20               (1) consult with and advise the Director of Animal Welfare on proposed  
21       revisions to the animal welfare laws and rules;

1           (2) assist the Director of Animal Welfare in the continuing  
2           implementation and evaluation of the animal welfare laws and rules;

3           (3) review training programs for law enforcement officers and municipal  
4           animal control officers and make recommendations for training appropriate to  
5           the duties of law enforcement officers and municipal animal control officers;

6           (4) research sources of public or private funding that the Director could  
7           pursue for deposit to the Animal Welfare Fund to ensure funding for the  
8           administration and enforcement of the animal welfare laws and rules;

9           (5) periodically evaluate the adequacy of existing funding for  
10          administration and enforcement of the State's animal welfare laws and make  
11          recommendations to the Director for increased funding if existing funding is  
12          determined to be inadequate; and

13          (6) advise the Director on other matters related to the State's animal  
14          welfare laws.

15          § 3204. RULEMAKING

16          The Director, after consultation with the Animal Welfare Advisory Council,  
17          may adopt rules necessary for the proper administration, implementation,  
18          enforcement, and interpretation of this chapter or any provision of law that the  
19          Director is charged with administering.

1     § 3205. ANNUAL REPORT

2             Beginning on January 15, 2025, and annually thereafter, the Director of  
3     Animal Welfare shall submit to the Senate Committees on Judiciary, on  
4     Agriculture, and on Finance and the House Committees on Judiciary; on  
5     Agriculture, Food Resiliency, and Forestry; and on Ways and Means a report  
6     regarding the activities of the Division of Animal Welfare. The report shall  
7     include:

8             (1) a summary of the animal cruelty cases investigated by the Division  
9     of Animal Welfare and a summary of final dispositions of those cases;

10            (2) an accounting of the Animal Welfare Fund and the Animal Welfare  
11     Auxiliary Fund;

12            (3) a list of licensed animal shelters and animal rescue organizations in  
13     the State;

14            (4) the number of animal intakes, transfers, adoptions, animals that died  
15     in care, and euthanasia conducted or directed under the control of animal  
16     shelters and animal rescue organizations in the State;

17            (5) a list of the pet shops and pet dealers licensed in the State; and

18            (6) the number of complaints filed against or investigations initiated  
19     against animal shelters or animal rescue organizations in the State.

1     § 3206. ANIMAL WELFARE FUND

2           (a) The Animal Welfare Fund is established within the Department of  
3     Public Safety to fund the expenses incurred by the Division of Animal Welfare  
4     in implementing the requirements of this chapter, chapter 200 of this title, and  
5     animal cruelty investigations in general. The Director of Animal Welfare shall  
6     administer the Fund.

7           (b) The Fund shall consist of:

8           (1) the animal welfare surcharge assessed on commercial feed products  
9     under 6 V.S.A. § 324(d)(2);

10          (2) 50 percent of the revenue collected from the surcharge assessed  
11     under subsection 3581(f) of this title; and

12          (3) appropriations made by the General Assembly.

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

15           Subchapter 2. Animal Shelters and Animal Rescue Organizations

16     § 3221. DEFINITIONS

17           As used in this subchapter:

18           (1) “Adequate food” has the same meaning as in 13 V.S.A. § 351.

19           (2) “Adequate water” has the same meaning as in 13 V.S.A. § 351.

20           (3) “Ambient temperature” means the temperature surrounding the  
21     animal.

1           (4) “Animal” means:

2                   (A) any domestic pet;

3                   (B) any domestic animal; or

4                   (C) any wild animal authorized by the Commissioner of Fish and  
5 Wildlife to be possessed.

6           (5)(A) “Animal rescue organization” means any person who:

7                   (i) accepts more than five animals in a calendar year for the  
8 purpose of providing sanctuary or finding adoptive homes for the animals;

9                   (ii) maintains at least one facility or property in the State for the  
10 purposes of the animal rescue organization; and

11                   (iii) is subject to the animal care requirements of section 3222 of  
12 this title.

13           (B) For purposes of compliance with the animal care requirements of  
14 section 3222 of this title, an “animal rescue organization” includes individuals  
15 providing temporary foster care to animals in their home or on their property  
16 for a person licensed as an animal rescue organization.

17           (6) “Animal shelter” means a facility in Vermont that is used to house or  
18 contain animals and is owned, operated, or maintained by a humane society,  
19 animal welfare society, society for the prevention of cruelty to animals, or  
20 similar entity devoted to the welfare, protection, and humane treatment of  
21 animals.

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

2           (8) “Domestic pet” has the same meaning as in 10 V.S.A. § 4001.

3           (9) “Euthanize” means to comply with the requirements of 13 V.S.A.  
4           § 371.

5           (10) “Housing facility” means any room, building, or area used to  
6           contain a primary enclosure or enclosures.

7           (11) “Owner” means any person who owns a domestic pet or wolf-  
8           hybrid and includes any person who has actual or constructive possession of  
9           the pet or wolf-hybrid. The term also includes those persons who provide feed  
10           or shelter to a domestic pet or wolf-hybrid.

11           (12) “Primary enclosure” means any structure used to immediately  
12           restrict an animal or animals to a limited amount of space, such as a room, pen,  
13           cage, compartment, or hutch.

14           (13) “Secretary” means the Secretary of Agriculture, Food and Markets.

15           (14) “Wild animal” has the same meaning as in 10 V.S.A. § 4001.

16           § 3222. OPERATION OF AN ANIMAL SHELTER OR RESCUE

17           ORGANIZATION; REQUIRED LICENSE

18           (a) A person shall not operate an animal shelter or animal rescue  
19           organization in the State without first obtaining a license from the Director.

20           (b)(1) An animal shelter or animal rescue organization operating in the  
21           State shall, at a minimum, comply with:

1           (A) for domestic pets that are cats, dogs, ferrets, rabbits, rodents, or  
2           wolf-hybrids, the minimum requirements of the Association of Shelter  
3           Veterinarians' Guidelines for Standards of Care in Animal Shelters, as the  
4           Guidelines may be amended or as the Director may amend the requirements  
5           under the Guidelines by rule;

6           (B) for domestic pets that are birds and are not domestic animals, the  
7           requirement of for humane handling, care, treatment, and transportation of  
8           birds under 9 C.F.R. parts 1–3;

9           (C) for domestic animals that are horses, the Global Federation of  
10          Animal Sanctuaries' Standards for Equine Rescue and Sanctuaries;

11          (D) for domestic animals that are not horses, standards adopted by  
12          the Director by rule after consultation with the Secretary of Agriculture, Food  
13          and Markets; and

14          (E) for wild animals, standards adopted by the Director by rule after  
15          consultation with the Commissioner of Fish and Wildlife.

16          (2) An animal shelter or an animal rescue organization operating in the  
17          State shall provide animals with adequate food, adequate water, and adequately  
18          sized and maintained primary closures and housing facilities.

19          (c) Any animal shelter or an animal rescue organization assisting law  
20          enforcement in an animal cruelty investigation or seizure that, in good faith,  
21          provides care and treatment to an animal involved in the investigation or

1 seizure shall not be held liable for civil damages by the owner of the animal  
2 unless the actions of the shelter or organization constitute gross negligence.

3 § 3223. REPORTING OF ACTIVITY

4 (a) On or before January 15 of each year, an animal shelter or an animal  
5 rescue organization operating in the State shall report the following  
6 information regarding its operation to the Director for the previous calendar  
7 year:

8 (1) the number of animal intakes by the animal shelter or an animal  
9 rescue organization, including the number of animals that originated out of  
10 state;

11 (2) the number of animals that the animal shelter or an animal rescue  
12 organization transferred to other animal shelters or animal rescue  
13 organizations, including the number of animals transferred out of State or to  
14 other organizations within Vermont;

15 (3) the number of animals that the animal shelter or animal rescue  
16 organization placed for adoption; and

17 (4) the number of animals that were euthanized or died while in the care  
18 of the animal shelter or animal rescue organization.

19 (b) In addition to the report required under subsection (a) of this section, an  
20 animal shelter or animal rescue organization for domestic pets operating in the  
21 State shall annually enter into the Shelter Animals Count database the number

1 of total outcomes, the number of live outcomes, the number of nonlive  
2 outcomes, and any other information required by the Director.

3 § 3224. DENIAL OR REVOCATION OF REGISTRATION OR LICENSE

4 (a) The Director may deny a license to an animal shelter or an animal  
5 rescue organization if the Director determines that the animal shelter fails to  
6 meet the requirements of this chapter or rules adopted under this chapter.

7 (b) The Director may, after public hearing, revoke a license issued by the  
8 Division of Animal Welfare if it is determined that the animal shelter or animal  
9 rescue organization fails to meet the requirements of this chapter or rules  
10 adopted under this chapter.

11 § 3225. AUTHORIZED CARE; EMERGENCY; NECESSITY

12 The Director may authorize persons who are not licensed in the State as an  
13 animal shelter or as an animal rescue organization to provide care and  
14 sanctuary to animals during emergencies or when necessary to provide  
15 adequate food or adequate shelter for the animal. The Director may provide  
16 authorization under this section through an order of the Division of Animal  
17 Welfare or through a memorandum of understanding with the person. Any  
18 order or memorandum of understanding issued under this section shall state the  
19 standard of care required for the animal being provided care or sanctuary, the  
20 amount of daily funding for adequate care, and, if available, the source of the  
21 funding for care.

1                                    Subchapter 3. Pet Dealers and Pet Shops

2                    § 3231. DEFINITIONS

3                    As used in this subchapter:

4                    (1) “Animal” means cats, dogs, wolf-hybrids, rabbits, rodents, birds,  
5                    fish, reptiles, or other vertebrates authorized for sale in the State.

6                    (2) “Pet dealer” means any person who sells or exchanges or who offers  
7                    to sell or exchange cats, dogs, ferrets, rabbits, rodents, birds, or wolf-hybrids,  
8                    or any combination thereof, from three or more litters of cats, dogs, ferrets,  
9                    rabbits, rodents, birds, or wolf-hybrids in any 12-month period. “Pet dealer”  
10                   does not mean an animal shelter, pet shop, or animal rescue organization. As  
11                   used in this subdivision, “birds” does not include birds the sale or exchange of  
12                   which is regulated by the Agency of Agriculture, Food and Markets or the  
13                   Department of Fish and Wildlife.

14                   (3) “Pet shop” means a place of retail or wholesale business, including  
15                   a flea market, that is not part of a private dwelling, where animals are  
16                   maintained or displayed for the purpose of sale or exchange to the general  
17                   public.

18                   § 3232. PET DEALER; PET SHOP; OPERATION

19                   (a)(1) A person shall not do business as a pet shop without a license issued  
20                   by the Director of Animal Welfare.

1           (2) A person shall not do business as a pet dealer without a permit  
2           issued by the Director of Animal Welfare.

3           (b) A license or permit issued under this section shall be displayed  
4           prominently on the premises of the pet shop or pet dealer.

5           (c) At the time of application for or renewal of a license or a permit under  
6           this section, an applicant for a new license or permit shall notify the Director of  
7           the type of animals to be sold, and an applicant for a renewed license or permit  
8           shall notify the Director of the type and number of animals in the preceding  
9           license or permit term.

10          (d) The Director may inspect a pet shop or pet dealer licensed or permitted  
11          under this section at any time as a condition of receiving and retaining a  
12          permit.

13          (e)(1) The term for a license or permit issued under this section shall be  
14          April 1 to March 31.

15          (2) The license fee for a pet shop shall be \$175.00, and the permit fee  
16          for a pet dealer shall be \$25.00.

17          (3) An application for a permit shall be made in the manner provided by  
18          the Director.

1     § 3233. STANDARD OF CARE; QUARANTINE OF PREMISES

2           (a) A pet shop or pet dealer licensed or permitted under this chapter shall,  
3     at a minimum, comply with the sanitization requirements of the appropriate  
4     standard set forth in subsection 3222(b) of this title for each animal type.

5           (b) In the event that the Director, law enforcement officer, or veterinarian  
6     determines that any animals owned or cared for by a pet shop or pet dealer are  
7     kept under unsanitary or inhumane conditions, that there is communicable  
8     disease among them, or that the condition of the animals is such as to  
9     jeopardize or endanger the health or safety of persons, the Director, law  
10    enforcement officer, or veterinarian shall quarantine the premises by an order  
11    in writing delivered to the holder of the permit. The quarantine shall remain in  
12    effect until the conditions affording a basis for the quarantine order have been  
13    remedied.

14          (c) A person operating a pet shop or a pet dealer who fails to comply with a  
15    quarantine order issued under subsection (b) of this section within 10 days  
16    after receiving notice of the order, or who sells, gives away, or otherwise  
17    removes an animal under quarantine or affected with a contagious disease,  
18    shall be subject to the penalty provided in 13 V.S.A. § 353(a)(1). A pet shop  
19    or pet dealer subject to a quarantine order shall be liable for payment of the  
20    necessary fees and expenses of a veterinarian utilized by the Director or law  
21    enforcement officer issuing a quarantine order.

1     § 3234. REPORTING

2           A pet dealer or pet shop licensed in the State shall annually report to the  
3     Division of Animal Welfare the following information:

4           (1) the number of animals sold or transferred in Vermont in the previous  
5     calendar year;

6           (2) the number of animals sold or transferred out of State;

7           (3) the number of animals that were euthanized or died while in the care  
8     of the pet dealer or pet shop; and

9           (4) any other information required by the Division of Animal Welfare.

10                           Subchapter 4. Penalties

11     § 3236. PENALTIES

12           (a) An animal shelter, animal rescue organization, pet shop, or pet dealer  
13     that violates the requirements of this chapter or rules adopted under this  
14     chapter shall be assessed the following administrative penalty:

15           (1) for a first offense, not more than \$1,000.00;

16           (2) for a second offense, not more than \$2,500.00; and

17           (3) for a third offense or subsequent offense, not more than \$10,000.00.

18           (b)(1) The Director may revoke the license or permit of an animal shelter,  
19     animal rescue organization, pet shop, or pet dealer for failure to comply with  
20     the requirements of this chapter or rules adopted under this chapter or for  
21     violation of terms or conditions in a license or permit issued under this chapter.

1           (2) The Director shall revoke the license or permit of an animal shelter,  
2           animal rescue organization, pet shop, or pet dealer that violates the  
3           requirements of this chapter or rules adopted under this chapter or that violates  
4           the terms or conditions of a license or permit three times in a five-year period.

5           Sec. 3. 20 V.S.A. § 3550(b) is amended to read:

6           (b) A municipal legislative body may impose penalties for violation of any  
7           provisions of subchapter 1 or 2, ~~refusal to obtain a pet dealer permit under~~  
8           ~~subchapter 3,~~ or a refusal to comply with an order issued by a municipal officer  
9           under subchapter 5 of this chapter.

10          Sec. 4. 20 V.S.A. § 3911(b) is amended to read:

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

18          Sec. 5. 6 V.S.A. § 324 is amended to read:

19          § 324. REGISTRATION AND FEES

20          (a) No person shall manufacture or distribute a commercial feed, feed  
21          supplement, or dosage form animal health product in this State unless that

1 person has first filed with the Agency of Agriculture, Food and Markets, in a  
2 form and manner to be prescribed by rules by the Secretary:

- 3 (1) the name of the manufacturer or distributor;
- 4 (2) the manufacturer's or distributor's place of business;
- 5 (3) the location of each manufacturing or distribution facility; and
- 6 (4) any other information that the Secretary considers to be necessary.

7 (b) A person shall not distribute in this State a commercial feed, feed  
8 supplement, or dosage form animal health product that has not been registered  
9 pursuant to the provisions of this chapter. Application shall be in a form and  
10 manner to be prescribed by rule of the Secretary. The Secretary shall have the  
11 authority to determine whether a product subject to an application shall be  
12 registered as a commercial feed, feed supplement, or dosage form animal  
13 health product.

14 (c)(1) The application for registration of a commercial feed or feed  
15 supplement shall be accompanied by a registration fee of \$105.00 per product.  
16 The registration fees, along with any surcharges collected under ~~subsection (d)~~  
17 subdivision (d)(1) of this section, shall be deposited in the special fund created  
18 by subsection 364(f) of this title. Funds deposited in this account shall be  
19 restricted to implementing and administering the provisions of this title and  
20 any other provisions of the law relating to fertilizer, lime, or seeds. If the

1 Secretary so requests, the application for registration shall be accompanied by  
2 a label or other printed matter describing the product.

3 (2) The application for registration of a dosage form animal health  
4 product shall be accompanied by a registration fee of \$35.00 per product. The  
5 registration fees, along with any surcharges collected under ~~subsection (d)~~  
6 subdivision (d)(1) of this section, shall be deposited in the special fund created  
7 by subsection 364(f) of this title. Funds deposited in this account shall be  
8 restricted to implementing and administering the provisions of this title and  
9 any other provisions of the law relating to items registered under this chapter.  
10 If the Secretary so requests, the application for registration shall be  
11 accompanied by a label or other printed matter describing the product.

12 (d)(1) No person shall distribute in this State any commercial feed, feed  
13 supplement, or dosage form animal health product required to be registered  
14 under this chapter upon which the Secretary has placed a withdrawal from  
15 distribution order because of nonregistration. A surcharge of \$10.00, in  
16 addition to the registration fee required by subsection (c) of this section, shall  
17 accompany the application for registration of each product upon which a  
18 withdrawal from distribution order has been placed for reason of  
19 nonregistration and must be received before removal of the withdrawal from  
20 distribution order.

1           (2) A surcharge of \$10.00, in addition to the registration fee required by  
2           subsection (c) of this section, to fund animal welfare activities in the State shall  
3           accompany the annual application for registration of each product required to  
4           be registered under this section. The surcharges collected under this  
5           subdivision shall be deposited in the Animal Welfare Fund created by  
6           20 V.S.A. § 3206.

7           (e) No person shall distribute a commercial feed product in the State that  
8           is labeled as bait or feed for white-tailed deer.

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

10          § 3581. GENERAL REQUIREMENTS

11          (a) A person who is the owner of a dog or wolf-hybrid more than six  
12          months ~~old~~ of age shall annually on or before April 1 cause it to be registered,  
13          numbered, described, and licensed on a form approved by the Secretary for one  
14          year from that day in the office of the clerk of the municipality in which the  
15          dog or wolf-hybrid is kept. A person who owns a working farm dog and who  
16          intends to use that dog on a farm pursuant to the exemptions in section 3549 of  
17          this title shall cause the working farm dog to be registered as a working farm  
18          dog and shall, in addition to all other fees required by this section, pay \$5.00  
19          for a working farm dog license. The owner of a dog or wolf-hybrid shall cause  
20          it to wear a collar and attach a license tag issued by the municipal clerk to the  
21          collar. Dog or wolf-hybrid owners shall pay for the license \$4.00 for each

1 neutered dog or wolf-hybrid, and \$8.00 for each unneutered dog or wolf-  
2 hybrid. If the license fee for any dog or wolf-hybrid is not paid on or before  
3 April 1, its owner or keeper may thereafter procure a license for that license  
4 year by paying a fee of 50 percent in excess of that otherwise required.

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

9 (c)(1) A mandatory license fee surcharge of \$4.00 per license shall be  
10 collected by each city, town, or village for the purpose of funding the dog, cat,  
11 and wolf-hybrid spaying and neutering program established in chapter 193,  
12 subchapter 6 of this title.

13 (2) An optional license fee surcharge of up to \$10.00 per license is to be  
14 implemented by the legislative body of a city, town, or village that has  
15 established an animal and rabies control program for the sole purpose of  
16 funding the rabies control program.

17 (3) The license fee surcharges in this subsection shall not be considered  
18 part of the license fee for purposes of calculating a penalty for late payment.

19 (d) Before obtaining a license for a dog or wolf-hybrid six months of age or  
20 older, a person shall deliver to the municipal clerk a certificate or a certified  
21 copy thereof issued by a duly licensed veterinarian, stating that the dog or

1 wolf-hybrid has received a current preexposure rabies vaccination with a  
2 vaccine approved by the Secretary, and the person shall certify that the dog or  
3 wolf-hybrid described in the certificate or copy is the dog or wolf-hybrid to be  
4 licensed. The municipal clerk shall keep the certificates or copies thereof on  
5 file. The Secretary shall prescribe the size and format of rabies certificates.  
6 The owner of any such dog or wolf-hybrid shall maintain a copy of the rabies  
7 vaccination form and provide it to State or municipal officials upon request.

8 \* \* \*

9 (f) In addition to the license fees assessed in subsections (a) and (c) of this  
10 section and section 3583 of this title, municipal clerks shall assess a ~~\$1.00~~  
11 \$2.00 fee for each license sold. The clerks shall forward the fees collected  
12 under this subsection to the State Treasurer on or before the 15th day of May,  
13 September, and January of each year, together with an accounting of the  
14 licenses sold. The funds collected under this subsection are to be used for  
15 rabies control programs and for administration of animal welfare laws in the  
16 State. For this purpose, on or before the 30th days of May, September, and  
17 January, the State Treasurer shall disburse the funds collected under this  
18 subsection as follows:

- 19 (1) ~~Forty five~~ 22.5 percent to the Fish and Wildlife Fund;:  
20 (2) ~~Forty five~~ 22.5 percent to the Commissioner of Health;:





1 (b) In addition to any other sentence the court may impose, the court may  
2 require a defendant convicted of a violation under section 352 or 352a of this  
3 title to:

4 \* \* \*

5 Sec. 9. 13 V.S.A. § 354 is amended to read:

6 § 354. ENFORCEMENT; POSSESSION OF ABUSED ANIMAL;  
7 SEARCHES AND SEIZURES; FORFEITURE

8 (a) ~~The Secretary of Agriculture, Food and Markets shall be consulted prior~~  
9 ~~to any enforcement action brought pursuant to this chapter that involves~~  
10 ~~livestock and poultry. Law~~ The Director of Animal Welfare or law  
11 enforcement may consult with request guidance from the Secretary of  
12 Agriculture, Food and Markets in person or by electronic means when  
13 responding to complaints under this chapter related to livestock or poultry, and  
14 the Secretary shall assist the Director of Animal Welfare or law enforcement in  
15 evaluating the facts determining whether the practice or animal condition, or  
16 both, represent acceptable livestock or poultry husbandry practices. This  
17 provision makes the Secretary of Agriculture, Food and Markets' expertise  
18 available to the Director or law enforcement for consultation, but neither lack  
19 of consultation nor the scope of result of any consultation creates a procedural  
20 defense to an enforcement action, which shall be determined by the underlying  
21 facts.

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Sec. 10. 13 V.S.A. § 356 is amended to read:

§ 356. ~~HUMANE OFFICER REQUIRED TRAINING; AUTHORIZATION  
TO PERFORM DUTIES~~

~~(a) All humane officers as defined in subdivision 351(4)(B) of this title shall complete the animal cruelty response training as required by 20 V.S.A. § 2365b in order to serve in the capacity of a humane officer.~~

~~(b) A humane officer as defined in subdivision 351(4)(B) of this title shall be authorized to serve as a humane officer if the humane officer is employed by a humane society or a municipality and has completed the trainings as required by this section and by 20 V.S.A. § 2365b. Upon termination of employment from the humane society or municipality through which they were authorized to serve, the person shall no longer be authorized to perform the legal functions of a humane officer.~~

~~(c) The Animal Cruelty Investigation Advisory Board shall keep and at least annually update an index of individuals who have completed the animal cruelty response training as required by this section and by 20 V.S.A. § 2365b.~~

[Repealed.]

1 Sec. 11. 20 V.S.A. § 2365b is amended to read:

2 § 2365b. ANIMAL CRUELTY RESPONSE TRAINING

3 (a) As part of basic training in order to become certified as a Level II and  
4 Level III law enforcement officer, a person shall receive a training module on  
5 animal cruelty investigations as developed and approved by the Animal  
6 Cruelty Investigation Advisory Board and approved and administered by the  
7 Vermont Criminal Justice Council.

8 (b) ~~On or before December 31, 2023, humane officers as defined in 13~~  
9 ~~V.S.A. § 351(4)(B) shall complete an animal cruelty response training as~~  
10 ~~developed and approved by the Animal Cruelty Investigation Advisory Board~~  
11 ~~and Animal control officers working for municipal or State law enforcement~~  
12 ~~shall complete an animal response training program approved and administered~~  
13 ~~by the Vermont Criminal Justice Council. The Council shall provide the~~  
14 ~~training only to designated humane society employees, animal control officers~~  
15 ~~appointed by the legislative body of a municipality, and other humane officers~~  
16 ~~as defined in 13 V.S.A. § 351(4). The trainings shall be conducted on a~~  
17 ~~periodic basis by qualified instructors as determined by the Animal Cruelty~~  
18 ~~Investigation Advisory Board.~~

19 (c) ~~The Animal Cruelty Investigation Advisory Board may elect to require~~  
20 ~~that humane officers as defined in 13 V.S.A. § 351(4)(B) complete a refresher~~  
21 ~~course on the training required by this section on a periodic basis. Such~~

1 ~~refresher training shall be developed and approved by the Animal Cruelty~~  
2 ~~Investigation Advisory Board and approved and administered by the Vermont~~  
3 ~~Criminal Justice Council. [Repealed.]~~

4 (d) ~~On or before January 1, 2024 and annually thereafter, the Vermont~~  
5 ~~Criminal Justice Council shall provide the Animal Cruelty Investigation~~  
6 ~~Advisory Board with a list of the individuals that completed the trainings as~~  
7 ~~required by this section. [Repealed.]~~

8 Sec. 12. FINDINGS AND PURPOSE

9 (a) Findings. The General Assembly finds that for the purposes of this  
10 section and Sec. 13 of this act:

11 (1) It is reasonable for Vermont residents to expect that their adopted  
12 companion animals will be free from communicable disease, be of sound  
13 temperament, and not be dangerous.

14 (2) The unregulated transportation or importation of feline and canine  
15 companion animals poses risks to Vermonters. Such risks include:

16 (A) communicable zoonotic disease from parasite-borne diseases  
17 such as Lyme, Leptospirosis, and Giardia and blood-borne diseases such  
18 as rabies;

19 (B) physical harm from behaviorally unsound and potentially  
20 dangerous animals; and

1           (C) emotional distress and financial loss when the health or behavior  
2           of adopted animals result in extraordinary medical bills or heartbreak should  
3           the animal die or is required to be surrendered.

4           (3) Some transmissible diseases or parasites are transmissible from  
5           animals to humans, such as Giardia, and if not promptly diagnosed or treated  
6           could lead to a public health risk.

7           (4) Current law requires that a dog, cat, ferret, or wolf-hybrid imported  
8           into the State of Vermont for sale, resale, exchange, or donation be  
9           accompanied by an official health certificate or similar certificate of inspection  
10          for the dog, cat, ferret, or wolf-hybrid issued by a veterinarian licensed in the  
11          state or county of origin; however, there is no enforcement authority or entity  
12          in place to enforce the requirement for importation of dogs, cat, ferrets, or  
13          wolf-hybrids.

14          (5) There is currently no process in place to screen for behaviorally  
15          unsafe animals.

16          (6) Vermonters who adopt companion animals through importation into  
17          the State have little to no recourse if the animal has behavior or health issues.

18          (b) Purpose. The purpose of Sec. 13 of this act is to provide standards for  
19          the handling and care of dogs, cats, ferrets, and wolf-hybrids within the State  
20          of Vermont by animal shelters, animal rescue organizations, and individuals  
21          whose primary activity is the placement of abandoned, displaced, unwanted,

1 neglected, or abused animals and for the importation or transportation of dogs,  
2 cats, ferrets, and wolf-hybrids into the State of Vermont.

3 Sec. 13. 20 V.S.A. chapter 200 is added to read:

4 CHAPTER 200. PLACEMENT OF ANIMALS

5 Subchapter 1. Importation of Animals

6 § 4401. DEFINITIONS

7 As used in this chapter:

8 (1) “Animal” has the same meaning as in 13 V.S.A. § 351, except for  
9 the importation or placement of domestic animals regulated by the Agency of  
10 Agriculture, Food and Markets or the importation or placement of wild animals  
11 regulated by the Department of Fish and Wildlife.

12 (2) “Applicant” means a person who has submitted an application for a  
13 license or renewal of an import organization license to the Division of Animal  
14 Welfare.

15 (3) “Capacity for care” means the maximum number of animals that an  
16 import organization can appropriately care for in each facility it owns, controls,  
17 or operates under its license.

18 (4) “Cat” means a mammal of the species Felis catus.

19 (5) “Clean and disinfect” means the process, as set forth in the  
20 Association of Shelter Veterinarians’ Guidelines for Standards of Care in  
21 Animal Shelters, by which bacteria, viruses, or other pathogens are eliminated

1 from an environment through the physical removal of organic material or  
2 debris from personnel, facilities, vehicles, or other equipment, followed by the  
3 appropriate application of chemical agents specifically designed to destroy  
4 potentially hazardous microorganisms in accordance with applicable  
5 directions.

6 (6) “Consumer” means a person who adopts, purchases, exchanges, or  
7 barters for an animal for companionship or their own noncommercial use.

8 (7) “Division” means the Division of Animal Welfare.

9 (8) “Dog” means a mammal of the species *Canis familiaris*.

10 (9) “Domestic animal” has the same meaning as defined by 6 V.S.A.  
11 § 1151(2).

12 (10) “Facility” or “facilities” mean a location or locations owned,  
13 operated, or otherwise used by a licensee for receiving, maintaining, caring for,  
14 or transporting animals for the purpose of placing such animals. A facility  
15 includes any shelter or kennel but not a foster home.

16 (11) “Ferret” means only the European ferret (*Mustela putorius furo*).

17 (12) “Foster home” means a residential location providing interim or  
18 temporary in-home housing for animals on behalf of an import organization  
19 licensed under this chapter and for which the import organization assumes  
20 responsibility and liability.

1           (13) “Health certificate” means a legible certificate or form signed by an  
2           accredited veterinarian that shows the age, sex, breed, description, and health  
3           record of each animal and the name of the consignor and consignee. The  
4           certificate or form shall list the vaccines administered to each animal and shall  
5           state that the animal is not showing signs of infectious, contagious, or  
6           communicable diseases. The certificate is valid for 30 days from the date it  
7           was issued.

8           (14) “Impervious” means characteristics of a nonporous, impermeable  
9           surface through which a liquid is not allowed to pass but upon which water  
10           will bead.

11           (15) “Import” means the transport of animals into the State of Vermont  
12           by a licensed animal shelter, licensed animal rescue organization, or licensed  
13           import organization for the purpose of placement.

14           (16) “Import license” means a license issued by the Division of Animal  
15           Welfare that authorizes the licensee to operate in the State of Vermont as an  
16           import organization and to import animals into the State of Vermont.

17           (17) “Import organization” means an entity licensed by the Director of  
18           Animal Welfare that is not otherwise required to be licensed under Vermont  
19           laws and whose primary activity is the placement of abandoned, displaced,  
20           unwanted, neglected, or abused animals. An import organization shall not  
21           obtain animals from an animal breeder or broker for payment or compensation.

1           (18) “Individual animal record” means the comprehensive record  
2           relating to an individual animal that includes, where applicable, a certificate of  
3           veterinary inspection; documentation of isolation upon import; post isolation  
4           health certificate; history of vaccinations; history of all medical treatment,  
5           including administered medications; source of animal; date of acquisition;  
6           name and address of adoptive owner or foster home; official identification;  
7           date of placement; mortality record; and other records as may be appropriate.

8           (19) “Isolation” means the confinement of animals to prohibit other  
9           animal contact by restricting the animal to an isolation room for the purposes  
10           of separating an animal displaying signs of contagious or infectious illness and  
11           minimizing the risk of the animal spreading a contagious or infectious illness  
12           to humans and other animals.

13           (20) “Isolation room” means a location designed to serve as a receiving  
14           and holding station for animals that are subject to quarantine.

15           (21) “Official identification” means a device or method used as a means  
16           of identifying an individual animal appropriate for that species, including  
17           microchip, labeled collar, or other means of distinction affixed to the animal.  
18           For ferrets, if no identification is affixed, a detailed description of the animal  
19           attached to the enclosure will suffice.

1           (22) “Place” or “placement” means to sell, barter, exchange, give away,  
2           or otherwise find a permanent physical placement for an animal that is  
3           abandoned, displaced, unwanted, neglected, or abused.

4           (23) “Primary housing enclosure” means a cage, crate, or any area  
5           within a facility in which a confined animal is kept.

6           (24) “Sanitary condition” means the state of facilities, primary housing  
7           enclosures, and associated equipment having been cleaned and disinfected as  
8           often as necessary to be free of, at a minimum, urine, feces, and noxious odors.

9           (25) “U.S. Department of Agriculture-accredited veterinarian” means a  
10          veterinarian accredited by the U.S. Department of Agriculture’s Animal and  
11          Plant Health Inspection Service and approved by the animal health official of  
12          the state where the veterinarian is doing business.

13          (26) “Veterinarian” means a veterinarian licensed and in good standing  
14          in the state where the veterinarian is doing business.

15          (27) “Wild animal” has the same meaning as in 10 V.S.A. § 4001.

16          (28) “Wolf-hybrid” means an animal that is the progeny or descendant  
17          of a domestic dog (Canis familiaris) and a wolf (Canis lupus or Canis rufus).  
18          “Wolf-hybrid” also means an animal that is advertised, registered, licensed, or  
19          otherwise described or represented as a wolf-hybrid by its owner, or an animal  
20          that exhibits primary physical and behavioral wolf characteristics.

1           (29) “Zoonotic disease” means an infectious disease that can be  
2           transmitted from animals to humans or from humans to animals.

3           § 4402. LICENSE REQUIRED

4           A person shall not import or place an animal or operate an import  
5           organization that imports or places animals in the State of Vermont without  
6           first having obtained a license issued by the Division of Animal Welfare. A  
7           license under this chapter shall be valid only for the import organization  
8           specified in the license and shall be nontransferable.

9           § 4403. LICENSE APPLICATION

10           (a) A complete application for a license or renewal of a license shall be  
11           submitted to the Division of Animal Welfare on a form prescribed by the  
12           Division. The application shall state the applicant’s name, name of individual  
13           serving as the primary contact for the applicant, principal place of business,  
14           and a detailed operations plan that includes the following information in  
15           writing:

16           (1) a complete list of the import organization’s directors and managerial  
17           personnel;

18           (2) a complete list of the locations of all facilities, including shelters,  
19           kennels, or foster homes where animals in the custody of the import  
20           organization are or will be housed, and the capacity for care for each facility,

1 provided that information regarding foster homes is exempt from public  
2 inspection and copying under the Public Records Act and shall be confidential;

3 (3) the location within the State of Vermont where the import  
4 organization will maintain its records;

5 (4) methods of acquiring animals for purposes of placement;

6 (5) methods of animal care and maintenance, provided that such  
7 methods shall comply with the Association of Shelter Veterinarians'  
8 Guidelines for Standards of Care in Animal Shelters;

9 (6) description of facility operations and maintenance;

10 (7) documentation that the individual or entity is licensed in this State as  
11 an animal shelter, animal rescue organization, or import organization;

12 (8) the handling and segregation of animals in the custody of the import  
13 organization that are found to be suffering from illness or injury;

14 (9) methods to ensure the handling and disposing of deceased animals in  
15 a sanitary manner;

16 (10) such other detailed information that fully describes the import  
17 organization's proposed activities;

18 (11) evidence that the import organization holds a current kennel license  
19 from the municipality in which any facility is operating, if applicable;

20 (12) a euthanasia policy that complies with the law, if applicable;

1           (13) evidence that the import organization holds a current certificate of  
2           occupancy from the municipality in which any facility is operating, if  
3           applicable; and

4           (14) whether the import organization intends to import animals into the  
5           State of Vermont; if so, the Division shall issue an import license to qualified  
6           persons that clearly authorizes the import of animals in addition to their  
7           placement within the State of Vermont.

8           (b) An application for a license or renewal of license shall be accompanied  
9           by a fee as determined by the Division of Animal Welfare.

10          (c) The Division of Animal Welfare shall confirm receipt of the license  
11          application in writing and shall approve or deny the license within 90 days  
12          following the notice confirming receipt of the license application.

13          (d) Before issuance of the license, the Division of Animal Welfare shall be  
14          granted access to all the applicant's facilities to ensure compliance with  
15          applicable laws or rules. All inspections shall be conducted during normal  
16          business hours. The Division of Animal Welfare may conduct additional  
17          inspections before renewal and as it deems necessary. An isolation room shall  
18          be inspected and approved by the Division before issuance of an import  
19          license.

20          (e) An applicant may enter into a written agreement with the operator of an  
21          approved isolation room to perform the activities required by this chapter.

1 Such written agreement shall be approved by the Division of Animal Welfare  
2 before issuance of an import license.

3 (f) Licenses shall be issued on an annual basis and shall authorize the  
4 licensee to operate for 12 months from the date of issuance, unless earlier  
5 suspended, modified, or revoked by the Division of Animal Welfare in  
6 accordance with the rules of the Division of Animal Welfare.

7 (g) The licensee shall keep the original of its most recent license at a  
8 location within the State of Vermont and shall make a copy available for  
9 inspection upon request, including by any individual at the time and location of  
10 any placement. A copy shall be posted at each facility in a place prominently  
11 visible to the public.

12 (h) The licensee shall include its most recent license number in a way that  
13 is easily viewed by the public on its website and any other printed promotional  
14 materials or printed advertisements that offer a specific animal for placement.

15 (i) A renewal application shall be submitted not later than 30 days before  
16 the expiration of the license.

17 (j) The licensee shall promptly notify the Division of Animal Welfare in  
18 writing of any material change in the information provided in the license or  
19 renewal application, including changes in managerial personnel; loss of,  
20 acquisitions of, or renovations to facilities; or a change in the status of  
21 municipal kennel licensing.

1     § 4404. FACILITY REQUIREMENTS

2           (a) General standards. For buildings and premises that are utilized as a  
3     facility, each licensee shall be required to conform with:

4           (1) the Association of Shelter Veterinarians' Guidelines for Standards of  
5     Care in Animal Shelters for animals subject to those guidelines; and

6           (2) requirements specified by the Division of Animal Welfare in a  
7     license issued under this chapter for all other animals.

8           (b) Minimum standards. At a minimum, a licensee under this chapter shall:

9           (1) Maintain all buildings and premises in good repair and in a sanitary  
10     condition.

11          (2) Maintain and use equipment in a manner that ensures the proper and  
12     legal storage and disposal of wastes or disease-contaminated material,  
13     including medical supplies, syringes, needles, and sharps containers.

14          (3) Take and maintain effective control measures to prevent the spread  
15     of disease, noxious odors, and the infestation of animals and premises with  
16     external parasites, insects, or vermin.

17          (4) Provide and maintain artificial illumination in all areas and rooms in  
18     which animals are kept. The artificial illumination shall be well distributed  
19     and adequate to provide efficient inspection and cleaning of facilities,  
20     enclosures, cages, and animals. Each cage and enclosure in use shall be

1 situated in a manner that protects the animals contained from excessive or  
2 stressful illumination.

3 (5) To the extent feasible, utilize natural illumination during daylight  
4 hours in all areas and rooms where animals are kept. Artificial illumination  
5 shall be available during nondaylight hours.

6 (6) Make a freezer or other means of mechanical or nonmechanical  
7 refrigeration available at the facility for the temporary storage of deceased  
8 animals, unless an arrangement has been made with another entity capable of  
9 appropriately storing and disposing of deceased animals. Any such  
10 arrangement with another entity shall be made in writing and kept as part of  
11 the import organization's operations plan.

12 (c) Isolation room. In addition to complying with subsections (a) and (b) of  
13 this section, each facility shall be required to conduct each of the following:

14 (1) provide a room to be used exclusively for the purposes of isolating  
15 sick or diseased animals; and

16 (2) ensure that the isolation room, in addition to complying with the  
17 requirements of subsections (a) and (e) of this section, is compliant with the  
18 isolation requirements of the Association of Shelter Veterinarians' Guidelines  
19 for Standards of Care in Animal Shelters.

20 (d) Protective clothing for isolation room.

21 (1) Each licensee shall ensure that isolation rooms comply with:

1           (A) the isolation room requirements in the Association of Shelter  
2           Veterinarians' Guidelines for Standards of Care in Animal Shelters for animals  
3           subject to those guidelines; and

4           (B) isolation room requirements specified by the Division of Animal  
5           Welfare in a license issued under this chapter for all other animals.

6           (2) Each licensee shall ensure that each person who enters an isolation  
7           room or otherwise feeds, waters, cleans, treats, or handles quarantined or  
8           isolated animals showing signs of infectious or contagious disease or disease-  
9           contaminated equipment or material shall wear clean protective outerwear,  
10           gloves, and shoe covers, or take equivalent biosecurity measures while so  
11           doing, and shall remove and adequately clean or dispose of the protective  
12           outerwear, gloves, and shoe covers, or equivalent, and thoroughly wash their  
13           hands with soap and water immediately upon leaving such room.

14           (e) Animal facilities.

15           (1) Each animal housing area within a facility shall be constructed and  
16           maintained in compliance with:

17           (A) the housing requirements in the Association of Shelter  
18           Veterinarians' Guidelines for Standards of Care in Animal Shelters for animals  
19           subject to those guidelines; and

20           (B) requirements specified by the Division of Animal Welfare in a  
21           license issued under this chapter for all other animals.

1           (2) At a minimum, a housing area provided by a licensee shall comply  
2 with all of the following:

3           (A) The area shall be cleaned at least daily and more often as  
4 necessary to maintain sanitary conditions. Enclosures shall be disinfected  
5 periodically and as soon as practicable once emptied. Group housing rooms  
6 shall be emptied and disinfected periodically. Cages and enclosures shall be  
7 unoccupied during disinfecting. The use of chemical agents to disinfect shall  
8 be in accordance with the chemical manufacturer's label, with particular  
9 attention paid to temperatures and contact time.

10          (B) The area shall be of adequate size and space to permit an animal  
11 therein to stand, sit, lie down, turn around, and make other normal postural  
12 adjustments without obstruction, interference, or impediment by the presence  
13 of food and water bowls, equipment, beds, toys, or other animals.

14          (C) The area shall be equipped with heating, cooling, and ventilation  
15 to maintain adequate ambient conditions appropriate for the species and  
16 necessary to minimize odor, ammonia levels, disease transmission risk, and  
17 unnecessary stress on the animals due to uncomfortable temperatures or  
18 environmental conditions. Ambient temperature shall be between 55°F and  
19 85°F, unless other temperatures have been determined to be appropriate based  
20 on an information source approved by the Division. To ensure that these

1 conditions are met, the licensee shall install and maintain a working  
2 thermometer in all areas in which animals are maintained and cared for.

3 (D) The area shall be constructed and maintained in accordance with  
4 all of the following provisions:

5 (i) Each floor shall be impervious to moisture and no carpeted  
6 flooring may be permitted in animal areas.

7 (ii) Any material used shall be resistant to rusting and be  
8 maintained free of rust.

9 (iii) Animal cages or enclosures equipped with a wire floor shall  
10 be prohibited for animals. Crates meant for temporary confinement of animals,  
11 such as airline crates, wire crates, or cat carriers, shall be the appropriate size  
12 to provide adequate shelter and shall not be used for long-term housing.  
13 Stacked housing shall be specifically constructed for that purpose. Stacking  
14 wire crates is prohibited.

15 (E) The area shall be designed to permit the unimpeded access of the  
16 animal to clean, fresh food and water.

17 (F) The area shall provide adequate shelter from the sun and  
18 inclement weather when animals are outside.

19 (G) The area shall be maintained at a comfortable noise level. Under  
20 normal circumstances, the noise level shall not be at or above 100 dB for a  
21 sustained period of 15 minutes or longer.

1     § 4405. ANIMAL CARE REQUIREMENTS

2         (a) Standard of care.

3             (1) The import organization shall provide staffing adequate to ensure the  
4     general care and maintenance of the animals daily.

5             (2) The import organization shall provide care in compliance with:

6                 (A) the care requirements in the Association of Shelter Veterinarians’  
7     Guidelines for Standards of Care in Animal Shelters for animals subject to  
8     those guidelines; and

9                 (B) the care requirements specified by the Division of Animal  
10    Welfare in a license issued under this chapter for all other animals.

11            (3) With due regard to the differences in species, breed, age, and  
12    condition, the import organization shall ensure that every animal receives all of  
13    the following care and maintenance:

14                 (A) The animal shall be kept clean and dry.

15                 (B) The animal shall be provided with standard veterinary care in a  
16    timely manner following the protocols established by the veterinarian of  
17    record. Emergency care shall be provided.

18                 (C) The animal shall be provided with sufficient fresh food.

19                 (D) The animal shall be provided at all times, or at regular intervals,  
20    with access to clean drinking water.

1           (E) The animal shall be housed in an area having appropriate  
2           temperature and ventilation.

3           (F) The animal shall be protected from weather and the elements.

4           (G) The animal shall be provided with clean bowls, dishes, or other  
5           containers for food and water.

6           (H) The animal shall be free from contamination by excrement, urine,  
7           or other matter.

8           (I) When appropriate for the species, breed, and age, the animal shall  
9           be given the opportunity to exercise outside its enclosure regularly in order to  
10          maintain the animal in good health and reduce the stress of confinement.

11          (J) When held in group housing, the animal shall be housed in  
12          compatible groups without exceeding the capacity of care.

13          (4) No animal may be imported unless the animal:

14               (A) is eight weeks of age or older; or

15               (B) is less than eight weeks of age and is accompanied by a nursing  
16          mother.

17          (b) Vaccinations and testing. Vaccination and testing schedules shall apply  
18          based on the age of the dog, cat, or wolf-hybrid as follows, or in accordance  
19          with the most recent recommendations of the Association of Shelter  
20          Veterinarians' Guidelines for Standards of Care in Animal Shelters in effect at  
21          the time of vaccination:

1           (1) All rabies-vaccine eligible animals 12 weeks of age and older shall  
2           be vaccinated for rabies by a veterinarian, as stated in 20 V.S.A. § 3581a,  
3           including appropriate reimmunizations, unless prior veterinary records indicate  
4           a current vaccination status.

5           (2) Any dog six months of age or older shall be tested for heartworm as  
6           soon as practicable.

7           (c) Behavior. The import organization shall document any behavioral  
8           information received on intake as well as any behavioral observations made  
9           while the animal was in the import organization's possession. The  
10           observations and findings shall be documented in the individual animal record,  
11           in accordance with subdivision 4408(b)(12) of this title. Any animal with  
12           behavioral issues that may pose a safety risk to humans or other animals, such  
13           as aggression, will also need to comply with the provisions of subsection  
14           4407(d) of this title.

15           (d) Zoonotic disease. If an animal is found to have a zoonotic disease, the  
16           import organization shall promptly notify its veterinarian, the Division, and the  
17           Department of Health.

18           § 4406. IMPORTED ANIMALS

19           (a) Isolation upon import.

20           (1) An import organization holding an import permit shall comply with:

1           (A) the import requirements of the Association of Shelter  
2 Veterinarians' Guidelines for Standards of Care in Animal Shelters for animals  
3 subject to those guidelines; and

4           (B) requirements specified by the Division of Animal Welfare in a  
5 license issued under this chapter for all other animals.

6           (2) At a minimum, an import organization shall comply with the  
7 following import requirements:

8           (A) Any imported animal shall receive a brief health assessment at  
9 intake.

10          (B) Any animal showing signs of having an infectious or contagious  
11 disease shall be placed under quarantine according to:

12           (i) the guidelines of the Association of Shelter Veterinarians'  
13 Guidelines for Standards of Care in Animal Shelters for animals subject to  
14 those requirements; and

15           (ii) requirements specified by the Division of Animal Welfare in a  
16 license issued under this chapter or in a Division order.

17          (b) Health certificate. Any animal entering the State of Vermont under an  
18 import license shall be accompanied by a health certificate prepared and issued  
19 not earlier than 30 days prior to import into the State of Vermont by a U.S.  
20 Department of Agriculture-accredited veterinarian in the state of origin.

- 1           (1) The health certificate shall include the following information about  
2 the animal:
- 3           (A) estimated breed or category;  
4           (B) sex;  
5           (C) estimated age or age range;  
6           (D) name, if applicable;  
7           (E) microchip number, tattoo, or other official identification;  
8           (F) color and distinctive markings;  
9           (G) health status;  
10          (H) the place from which the animal was shipped into the State of  
11 Vermont, including the name and address of the shipper;  
12          (I) name, address, and import license number of the Vermont  
13 receiving import organization to which each animal was shipped;  
14          (J) required vaccines and testing as applicable; and  
15          (K) a statement that the animal appears to be free of infectious and  
16 contagious disease, including internal or external parasites and heartworm, and  
17 exposure thereto.
- 18          (2) Animals shall be examined by trained staff within 24 hours prior to  
19 travel and deemed fit for transport. A veterinarian shall confirm that animals  
20 with medical concerns or recovering from surgery are fit for transport, and the  
21 receiving import organization shall be notified and agree to take the animal.

1           (3) A health certificate shall be void 30 days after issuance.

2           (c) Vaccinations and testing. Each licensee that imports an animal into the  
3           State for purposes of placement shall comply with the vaccination and testing  
4           schedules as described in subsection 4405(b) of this title. Any dog or wolf-  
5           hybrid six months of age or older shall be tested for heartworm within three  
6           months before shipment. The heartworm testing results shall be disclosed to  
7           the receiving import organization. The receiving import organization shall  
8           agree to treat the animal.

9           § 4407. RESTRICTIONS ON PLACEMENT

10           (a) Unless otherwise specified in this section, no licensee shall place an  
11           animal that shows signs of any significant behavioral concern, such as signs of  
12           a temperamental or behavioral issue that may pose a safety risk to humans or  
13           other animals.

14           (b) No licensee shall place an animal, unless:

15                   (1) the animal is eight weeks of age or older;

16                   (2) the licensee possesses the animal's complete individual animal  
17           record, in accordance with section 4408 of this title; and

18                   (3) prior to placement, the licensee has provided the prospective adopter  
19           with a disclosure statement and a partial animal record, consisting of at least  
20           the information required under subsection 4408(b) of this title, as applicable.

1       (c) Notwithstanding subsections (a) and (b) of this section, any animal with  
2       a chronic infectious or contagious medical condition may be placed, provided  
3       that:

4             (1) the licensee has supplied any prospective adopter with a disclosure  
5       statement documenting the specific medical condition; and

6             (2) the prospective adopter has signed an acknowledgment of receipt on  
7       the disclosure statement and an agreement requiring the adopter to take steps to  
8       prevent the spread of disease to any other susceptible animals.

9       (d) Notwithstanding subsections (a) and (b) of this section, any animal with  
10       behavioral issues that may pose a safety risk to humans or other animals, such  
11       as aggression, may only be placed, provided that:

12             (1) The animal receives training or behavior modification prior to  
13       placement such that the safety risk is mitigated to the satisfaction of the  
14       Division of Animal Welfare.

15             (2) The licensee supplies any prospective adopter with a disclosure  
16       statement documenting the specific behavioral issues, and the prospective  
17       adopter signs an acknowledgment of receipt on the disclosure statement and an  
18       agreement requiring the adopter to establish an adequate management plan or  
19       employ the services of a professional animal trainer or behaviorist to provide  
20       training or behavior modification that mitigates the safety risk. The licensee

1 shall obtain and retain a copy of these documents as part of the animal's  
2 individual animal record.

3 (e) An import organization shall dispense medication to an adopter based  
4 on recommendations of the veterinarian of record.

5 (f) Any location where an animal placement occurs, including any off-site  
6 or outdoor locations, shall meet all standards set forth subsection 4405(a) of  
7 this title.

8 (g) Within 14 calendar days following placement, the adopter may return  
9 the animal for a full refund and the import organization shall take the animal  
10 back within three days. After the 14-day period, the adopter may return the  
11 animal for any reason and the import organization shall take the animal back  
12 but shall have no obligation to provide a refund.

13 (h) The provisions in subsections (a), (c), and (e) of this section and  
14 subdivisions (b)(1) and (2) of this section shall not apply to transfers of  
15 animals between import organizations licensed in Vermont.

16 § 4408. RECORDS

17 (a) Access by Division. Records shall be maintained in accordance with  
18 the requirements of this section and this chapter and shall be made available  
19 for review by the Division during any inspection or upon request.

1        (b) Individual animal records. The import organization shall keep a  
2        complete copy of the record of each animal in its custody. The record of each  
3        animal shall, at a minimum, include the following information:

4            (1) Species.

5            (2) Sex and reproductive status and, if spayed or neutered, the date and  
6        name of the veterinarian performing the surgery, when available.

7            (3) Approximate age or age group.

8            (4) Name, if applicable.

9            (5) Microchip number, tattoo, or other official identification.

10          (6) Color and distinctive markings.

11          (7) Health status.

12          (8) History of vaccinations administered, including rabies vaccination.

13          (9) Health certificate if the animal was imported from outside the State  
14        of Vermont. The health certificate or medical history supporting it shall  
15        include:

16            (A) the date of examination; and

17            (B) a statement that the animal is free of any symptoms of infectious  
18        or contagious disease.

19            (10) All vaccines, prophylactic, and therapeutic medications, and all  
20        other medications administered to the animal, identified by name of drug,  
21        dosage, and dates and duration of administration.

1           (11) Observations or findings of behavioral concerns or temperament  
2           issues that may pose a safety concern for humans or other animals.

3           (12) A disclosure statement with a signed acknowledgment of receipt.

4           (13) The name and address of the import organization or individual from  
5           whom the animal was obtained and the date of receipt.

6           (14) The name and address of the licensed Vermont animal shelter,  
7           animal rescue organization, or import organization to which the animal was  
8           transferred and the date of placement.

9           (15) The mortality of any animal and the cause, if known, including  
10          euthanasia.

11          (c) Format. The import organization shall provide information from the  
12          individual animal record in a format requested by the Division.

13          (d) Records retention. Records shall be retained for a period of 24 months  
14          from the date of placement or mortality unless otherwise directed by the  
15          Division.

16          (e) Confidentiality of information. The name, address, and other  
17          identifying information of an adoptive home or foster home within individual  
18          animal records are exempt from public inspection and copying under the  
19          Public Records Act and shall be confidential.

1     § 4409. INSPECTIONS AND QUARANTINES

2           (a) The Division shall have the right to inspect any facility, and the animals  
3     therein, during normal operating hours. Additionally, the Division shall be  
4     given access to and the right to inspect and copy any and all records pertaining  
5     to such animals.

6           (b) The Division may order that a quarantine be placed on the entire  
7     premises operated by a licensee, on a specific species, or on a specific group of  
8     animals or an individual animal for any of the following:

9           (1) excessive parasitism;

10          (2) poor body condition;

11          (3) presence of, or exposure to, infectious or contagious disease;

12          (4) infection with or exposure to a contagious disease;

13          (5) suspected of exposure to a contagious disease;

14          (6) the importation of a dog or cat into Vermont in violation of this  
15     chapter; or

16          (7) violation of the capacity for care limits of a facility.

17           (c) Each animal that the Division has ordered quarantined shall be  
18     maintained in an isolation room meeting the requirements of subsection  
19     4404(b) of this title, or in such other location that prevents the spread of  
20     disease, until released in writing by the Division.

1       (d) If any animal required to be maintained according to the requirements  
2       of subsection 4404(b) of this title is not so maintained, the Division may order  
3       that a quarantine be placed on the entire premises operated by a licensee.

4       § 4410. PROHIBITION OF DIRECT IMPORTATION OF AN ANIMAL

5       It shall be unlawful to import an animal into the State of Vermont for the  
6       purpose of transferring possession or ownership directly to a person in the  
7       State that is not an import organization licensed under this chapter.

8       § 4411. ENFORCEMENT

9       (a) The Division may deny, revoke, or suspend a license upon finding that  
10       the import organization has not complied with the provisions of this chapter.

11       (b) An emergency suspension may be imposed for any licensee whose  
12       officers, employees, or volunteers have been charged with violations of  
13       13 V.S.A. §§ 352, 352a, and 355, provided that a hearing is held within  
14       21 days after the date of such suspension. The hearing shall be held pursuant  
15       to 3 V.S.A. chapter 25.

16       (c) Except for emergency suspensions under subsection (b) of this section,  
17       no license or renewal of license may be denied, revoked, suspended, or  
18       renewal denied prior to notice of the opportunity for a full and fair hearing. A  
19       request for a hearing shall be made in writing to the Division within 21 days  
20       following notification of the Division's decision. The hearing shall be held  
21       pursuant to 3 V.S.A. chapter 25.

1        (d) Any action taken under this chapter shall not limit the Division's  
2        authority to take additional action as necessary, including assessment of fines.

3        (e) The Division may order the transfer of any animal in the custody of any  
4        import organization found in violation of any provisions of this chapter to a  
5        compliant animal shelter, animal rescue organization, or import organization.

6        § 4412. PENALTIES

7        Violations of this chapter are civil violations for which the Division may  
8        assess administrative penalties not to exceed \$1,000.00 for each violation.

9        § 4413. FORMS AND RULES

10       The Division may adopt rules and forms regarding the licensing of  
11       organizations and the importation of animals into the State.

12       Sec. 14. TRANSITION

13       Notwithstanding rules previously adopted, between July 1, 2024 and July 1,  
14       2025, the Agency of Agriculture, Food and Markets shall implement the  
15       standards of care set forth under 20 V.S.A. § 3222(b)(1)(A)–(C) as the  
16       standard to be applied and enforced for the operation of pet dealers and pet  
17       shops operating in the State to the extent applicable to the animal and facility  
18       at issue.

19       Sec. 15. REPEALS

20       (a) The following shall be repealed on July 1, 2025:

1           (1) 20 V.S.A. § 3541(10) (definition of pet dealer) and §§ 3681–3884  
2           (licensing and operation of pet dealers);

3           (2) 20 V.S.A. §§ 3906 and 3907 (licensing of pet shops), 3909 (sale of  
4           animals by humane society), 3908 (Agency of Agriculture, Food and Markets  
5           animal welfare rules), and 3912 (commitment of animal to Agency of  
6           Agriculture, Food and Markets); and

7           (3) 20 V.S.A. § 3915 (health certificate for transport).

8           (b) 24 V.S.A. § 1943 (Animal Cruelty Investigation Advisory Board) shall  
9           be repealed 30 days after the final member is appointed to the initial  
10          composition of the Animal Welfare Advisory Council under 20 V.S.A. § 3203.

11          Sec. 16. EFFECTIVE DATES

12          (a) This section; Sec. 1 (findings); the following sections in Sec. 2, 20  
13          V.S.A. §§ 3201, 3202, and 3204–3206 (Animal Welfare Division); Sec. 5  
14          (commercial feed surcharge); Sec. 6 (rabies control surcharge); and Sec. 14  
15          (transition) shall take effect July 1, 2024.

16          (b) All remaining sections shall take effect on July 1, 2025.