



SPONSOR: Rep. Gray & Rep. Jaques & Sen. Hocker & Sen. Walsh
Rep. Shupe

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 214

AN ACT TO AMEND TITLES 3 AND 16 OF THE DELAWARE CODE RELATING TO RABIES AND OTHER
VACCINATION REQUIREMENTS, AND LICENSING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 8204, Title 3 of the Delaware Code by making deletions as shown by strikethrough and
insertions as shown by underline as follows and redesignating accordingly:

§ 8204. Rabies vaccination required for dogs, ~~and cats, and ferrets~~; antirabies clinics.

(a) *Vaccination of dogs.* —

(1) Any person owning a dog 6 months of age or older in this State shall have that dog vaccinated against rabies by a
veterinarian; exemption from vaccination against rabies may be permitted if a licensed veterinarian has examined the
animal and based on the veterinarian's professional judgment, has certified in writing that at the time, vaccination would
endanger the animal's health because of its age, infirmity, disability, illness, or other medical considerations and a titer test
may be administered to assist in determining the need for the vaccination. The owner of the dog will receive a copy of the
rabies vaccination certificate legibly signed by the veterinarian. The owner of the dog will be responsible for keeping a
valid rabies vaccination certificate or exemption certificate in their possession for inspection by an animal control officer,
the Department of Agriculture or the Division of Public Health, if deemed necessary. Certification that the animal is
exempt from vaccination shall be valid for a period of one year from the date of the issuance of the certificate of exemption,
after which time the animal shall be re-examined by a licensed veterinarian and vaccinated against rabies or a new
certificate of exemption shall be issued to the animal's owner.

(2) Upon request by an animal welfare officer, the Department of Agriculture, or the Division of Public Health, all
owners of kennels, excluding licensed boarding kennels, shall present immediately a valid rabies vaccination certificate or
exemption certificate, signed by a veterinarian, for each dog 6 months of age or older owned by the kennel. Kennel owners
will be specifically responsible for keeping all vaccination certificates for all dogs owned or kept at their premise until at
least 12 months after the effective expiration date of the vaccination or exemption. If a dog is sold or traded, then the valid
vaccination certificate or exemption certificate shall be given to the new owner of the dog. If no valid certificate is given to
the new owner, the new owner shall have the dog vaccinated and be issued a valid vaccination certificate or examined and

23 be issued an exemption certificate. Certification that the animal is exempt from vaccination shall be valid for a period of
24 one year from the date of the issuance of the certificate of exemption, after which time the animal shall be re-examined by a
25 licensed veterinarian and vaccinated against rabies or a new certificate of exemption shall be issued to the animal's owner.

26 (b) *Vaccination of cats.* — Any person owning a cat 6 months of age or older in this State shall have the cat
27 vaccinated against rabies by a veterinarian; exemption from vaccination against rabies may be permitted if a licensed
28 veterinarian has examined the animal and based on the veterinarian's professional judgment has certified in writing that at
29 the time, vaccination would endanger the animal's health because of its age, infirmity, disability, illness, or other medical
30 considerations and a titer test may be administered to assist in determining the need for the vaccination. The owner of the
31 cat will be responsible for keeping a valid rabies vaccination certificate or exemption certificate in his or her possession for
32 inspection by an animal welfare officer, the Department of Natural Resources and Environmental Control, the Department
33 of Agriculture, or the Division of Public Health. Certification that the animal is exempt from vaccination shall be valid for
34 a period of one year from the date of the issuance of the certificate of exemption, after which time the animal shall be re-
35 examined by a licensed veterinarian and vaccinated against rabies or a new certificate of exemption shall be issued to the
36 animal's owner.

37 (c) *Vaccination of ferrets.* — Any person owning a ferret 6 months of age or older in this State shall have the ferret
38 vaccinated against rabies by a veterinarian; exemption from vaccination against rabies may be permitted if a licensed
39 veterinarian has examined the animal and based on the veterinarian's professional judgment has certified in writing that at
40 the time, vaccination would endanger the animal's health because of its age, infirmity, disability, illness, or other medical
41 considerations and a titer test may be administered to assist in determining the need for the vaccination. The owner of the
42 ferret is responsible for keeping a valid rabies vaccination certificate or exemption certificate in that owner's possession for
43 inspection by an animal welfare officer, the Department of Natural Resources and Environmental Control, the Department
44 of Agriculture, or the Division of Public Health. Certification that the animal is exempt from vaccination shall be valid for
45 a period of one year from the date of the issuance of the certificate of exemption, after which time the animal shall be re-
46 examined by a licensed veterinarian and vaccinated against rabies or a new certificate of exemption shall be issued to the
47 animal's owner.

48 (d) Any animal that receives a certificate of exemption under this section must be treated as unvaccinated in case of
49 potential rabies exposure.

50 (e) Any form necessary to implement this section shall be designed by the Department of Agriculture and made
51 available to licensed veterinarians.

52 Section 2. Amend § 3042F, Title 16 of the Delaware Code by making deletions as shown by strike through and
53 insertions as shown by underline as follows:

54 § 3042F. Fees for dog licenses; terms.

55 (b) Upon application and payment of the fee for an individual dog owner license, retail dog outlet license, or
56 kennel license, the applicant shall be entitled to receive a license, provided proof of a currently valid rabies vaccination,
57 exemption certificate authorized under § 8204 of Title 3 of this Code, or other documentation required by the Department
58 can be presented for each dog for which the license is sought. Each individual dog owner license, retail dog outlet license,
59 and kennel license shall show the date on which the license fee is paid. The Department, or its agent authorized under §
60 3045F of this title, shall issue each license showing the year for which the license is paid and the serial number of the
61 license. Each issued license must be accompanied by either a metal tag or an alternative method of identification, such as a
62 microchip or tattoo. In the event a dog tag is issued, the tag shall be of a design to be adopted by the Department, and shall
63 be affixed to the collar by the owner of such dog. Dog collars with associated state tags may be removed and need not be
64 worn at all times when the dog is licensed under a kennel or retail dog outlet and is housed in an enclosure or a pen. If the
65 collar has been removed, a valid dog tag and license must be readily available for review by an animal welfare officer as
66 proof that the individual dog is licensed. Dogs engaged in the act of hunting are exempted from wearing tags while they are
67 in the act of hunting, but individuals hunting with dogs must have some means of valid identification on the dog, and a
68 valid dog tag and license must be available for review by an animal welfare officer while the dog is in the act of hunting.

69 Section 3. This Act will be known as the Maggie's Pet Vaccine Protection Act.

70 Section 4. This Act shall become effective 90 days after enactment.

SYNOPSIS

This Act supports veterinarians in their effort to protect people from rabies and to ensure the welfare of animals.

This Act enables licensed veterinarians to exempt an animal from the mandated rabies vaccination, if the veterinarian determines, based on their professional judgement, that the vaccine would endanger the animal's health and a titer test may be administered to assist in determining the necessity of the vaccine.