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

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 214
AS AMENDED BY
HOUSE AMENDMENT NO. 1
AND
HOUSE AMENDMENT NO. 2

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, in the case of these medical exemptions, 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

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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 be issued an exemption certificate. 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.

(b) *Vaccination of cats.* — Any person owning a cat 6 months of age or older in this State shall have the cat 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, in the case of these medical exemptions, may be administered to assist in determining the need for the vaccination. The owner of the cat will be responsible for keeping a valid rabies vaccination certificate or exemption certificate in his or her possession for inspection by an animal welfare officer, the Department of Natural Resources and Environmental Control, the Department of Agriculture, or the Division of Public Health. 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.

(c) *Vaccination of ferrets.* — Any person owning a ferret 6 months of age or older in this State shall have the ferret 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, in the case of these medical exemptions, may be administered to assist in determining the need for the vaccination. The owner of the ferret is responsible for keeping a valid rabies vaccination certificate or exemption certificate in that owner's possession for inspection by an animal welfare officer, the Department of Natural Resources and Environmental Control, the Department of Agriculture, or the Division of Public Health. 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.

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

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

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

§ 3042F. Fees for dog licenses; terms.

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

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

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