

BEAR CUBS UNDER LARGE CARNIVORE ACT

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Senate Bill 48 as passed by the Senate

Sponsor: Sen. Tom Casperson

House Committee: Agriculture

Senate Committee: Agriculture

Complete to 2-19-13

A SUMMARY OF SENATE BILL 48 AS PASSED BY THE SENATE 2-14-13

The bill would amend the Large Carnivore Act so that a business could be exempt from the act even though it allowed a patron to have direct or close contact with a bear that is less than 36 weeks old or weighs no more than 90 pounds.

Currently, such an exemption only applies to those who don't allow patrons to come into contact with large carnivores or get close enough to large carnivores over 20 weeks old so as to place the patron in jeopardy of being harmed.

In general, the Large Carnivore Act regulates the possession of, and other activities associated with, large carnivores in the state. Large carnivores are defined to refer to bears and to large cats, such as lions, tigers, and leopards. Currently, individuals and entities can be exempted from the requirements of the act if they meet all of the following provisions: (1) they are conducting a for-profit or non-profit business whose primary purpose is to present animals to the public for education or exhibition purposes and whose business is not conducted in connection with another business as a means of attracting customers to that other business; (2) they possess a Class C license from the U.S. Department of Agriculture and meeting all of its standards; (3) they do not allow patrons to come into contact with large carnivores or get close enough to large carnivores over 20 weeks old so as to place the patron in jeopardy of being harmed; (4) they do not sell large carnivores, except to similarly exempt persons; and (5) they do not breed large carnivores.

Under Senate Bill 48, an individual or entity would not be able to allow patrons to come into direct contact with a large carnivore, ***other than a bear up to 36 weeks old or weighing up to 90 pounds.*** The bill would also amend the prohibition against allowing a patron to come into close enough contact with a large carnivore over 20 weeks old so as to place the patron in jeopardy of being harmed, so as to allow contact with ***a bear that is less than 36 weeks old or weighs less than 90 pounds.***

The bill would also remove the prohibition, cite above, against a business being conducted in connection with another business as a means of attracting customers to that other business.

Senate Bill 48 is similar to Senate Bill 1236 of 2012, which was vetoed by the governor.

FISCAL IMPACT:

The bill does not appear to have a direct fiscal impact on the state or on local governments.

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