

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5778**

A bill to amend 2000 PA 274, entitled
"Large carnivore act,"
by amending sections 2, 3, 14, and 22 (MCL 287.1102, 287.1103,
287.1114, and 287.1122), section 2 as amended by 2016 PA 305 and
section 22 as amended by 2013 PA 8, and by adding sections 22a,
22b, and 22c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Animal control officer" means a county animal control
3 officer as described in sections 29a and 29b of the dog law of
4 1919, 1919 PA 339, MCL 287.289a and 287.289b, or a city, village,
5 or township animal control officer as described in section 29c of
6 the dog law of 1919, 1919 PA 339, MCL 287.289c.

(b) "Animal control shelter" or "animal protection shelter" means an animal control shelter or animal protection shelter, respectively, registered with the department under section 6 of 1969 PA 287, MCL 287.336.

~~———— (c) "Circus" means an incorporated, class C licensee that is licensed under 9 CFR chapter I that is temporarily in this state, and that offers skilled performances by live animals, clowns, and acrobats for public entertainment. Circus does not include a person, whether or not a class C licensee, who presents a large carnivore to the public as part of a carnival or for any of the following purposes:~~

~~———— (i) Exhibition.~~

~~———— (ii) Education.~~

~~———— (iii) Entertainment that includes wrestling, a photography opportunity with a patron, or an activity in which the large carnivore and a patron are in close contact with each other.~~

(C) "BREEDING LICENSE" MEANS THE LICENSE GRANTED UNDER SECTION 22B.

(d) "Department" means the department of agriculture and rural development.

(e) "Facility" means an indoor or outdoor cage, pen, or similar enclosure where a large carnivore is kept.

(f) "Large carnivore" means either of the following:

(i) Any of the following cats of the Felidae family, whether wild or captive bred, including a hybrid cross with such a cat:

(A) A lion.

(B) A leopard, including, but not limited to, a snow leopard

1 or clouded leopard.

2 (C) A jaguar.

3 (D) A tiger.

4 (E) A cougar.

5 (F) A panther.

6 (G) A cheetah.

7 (ii) A bear of a species that is native or nonnative to this
8 state, whether wild or captive bred.

9 (g) "Law enforcement officer" means:

10 (i) A sheriff or sheriff's deputy.

11 (ii) A village or township marshal.

12 (iii) An officer of the police department of a city, village,
13 or township.

14 (iv) An officer of the Michigan state police.

15 (v) A peace officer who is trained and licensed or certified
16 under the Michigan commission on law enforcement standards act,
17 1965 PA 203, MCL 28.601 to 28.615.

18 (vi) A conservation officer appointed by the department of
19 natural resources.

20 (vii) An animal control officer.

21 (viii) A law enforcement officer of the federal government
22 authorized to enforce any federal law regulating animals.

23 (h) "Livestock" means that term as defined in section 5 of the
24 animal industry act, 1988 PA 466, MCL 287.705.

25 (i) "Local unit" means a city, village, township, or county.

26 (j) "Permit" means a permit issued under section 4.

27 (k) "Permitting agency" means the agency of a local unit that

1 issues permits under section 4.

2 (l) "Person" means an individual, partnership, corporation,
3 association, governmental entity, or other legal entity.

4 (m) "Pet shop" means a pet shop licensed by the department
5 under section 3 of 1969 PA 287, MCL 287.333.

6 (N) **"STATE VETERINARIAN" MEANS THAT TERM AS DEFINED IN SECTION**
7 **6 OF THE ANIMAL INDUSTRY ACT, 1988 PA 466, MCL 287.706.**

8 (O) ~~(n)~~ "Veterinarian" means a person licensed to practice
9 veterinary medicine under article 15 of the public health code,
10 1978 PA 368, MCL 333.16101 to 333.18838.

11 Sec. 3. A person shall not do any of the following:

12 (a) Own or possess a large carnivore except in compliance with
13 this act.

14 (b) ~~Breed~~ **EXCEPT AS PROVIDED IN SECTION 22, BREED** a large
15 carnivore.

16 (c) Transfer ownership or possession of or receive a transfer
17 of ownership or possession of a large carnivore, with or without
18 remuneration. This subdivision does not apply to a transfer of
19 ownership or possession of a large carnivore expressly authorized
20 or required by this act.

21 Sec. 14. (1) If there is probable cause to believe this act is
22 being violated, a law enforcement officer may give notice of the
23 violation in writing to the owner of the large carnivore. The
24 notice shall identify the violation and include a copy of this act.

25 (2) Not more than 30 days after the notice is delivered, the
26 owner of the large carnivore shall transfer ownership and
27 possession of the large carnivore or, subject to subsection (3),

1 correct the violation and shall notify the law enforcement officer
2 of the action taken.

3 (3) If the violation was failure to obtain a permit and the
4 violation was committed knowingly, not more than 14 days after the
5 notice is delivered, the owner of the large carnivore shall
6 transfer ownership and possession of the large carnivore and notify
7 the law enforcement officer of the action taken.

8 (4) A large carnivore transferred under subsection (2) or (3)
9 ~~shall~~**MUST** be transferred to a person described in section 22(1)(a)
10 ~~, (b), (c), or (d).~~**OR (3).** Notice that the large carnivore was
11 transferred under this subsection ~~shall~~**MUST** include evidence of
12 the transfer satisfactory to the law enforcement officer.

13 (5) Unless the owner of the large carnivore notifies the law
14 enforcement officer that the large carnivore was transferred under
15 subsection (2) or (3), the law enforcement officer shall conduct an
16 inspection at a reasonable time not less than 30 days after notice
17 of the violation was delivered. When the second inspection is
18 conducted, the owner of the large carnivore shall pay an inspection
19 fee of \$25.00 or actual, reasonable costs of the inspection,
20 whichever is greater, to the law enforcement officer.

21 (6) If the law enforcement officer finds that the owner of the
22 large carnivore has not complied with subsection (2) or (3), the
23 law enforcement officer shall seek forfeiture of the large
24 carnivore under section 16.

25 Sec. 22. (1) Sections 4, 5, and 6 do not apply to any of the
26 following:

27 ~~— (a) An animal control shelter or animal protection shelter.~~

1 (A) ~~(b)~~ A person WHO IS licensed or approved by the department
 2 of natural resources of this state or by the United States ~~fish and~~
 3 ~~wildlife service~~ **FISH AND WILDLIFE SERVICE** of the United States
 4 ~~department of the interior.~~ **DEPARTMENT OF THE INTERIOR.** This
 5 subdivision does not apply to a person in possession of 1 or more
 6 black bears under the authority of a permit to hold wildlife in
 7 captivity issued by the department of natural resources.

8 ~~—— (c) A zoological park approved or accredited by the American~~
 9 ~~zoo and aquarium association.~~

10 ~~—— (d) A person approved by the association of sanctuaries or the~~
 11 ~~American sanctuary association.~~

12 (B) ~~(e)~~ A law enforcement officer acting under the authority
 13 of this act.

14 (C) ~~(f)~~ A veterinarian temporarily in possession of a large
 15 carnivore to provide veterinary care for or humanely euthanize the
 16 large carnivore.

17 (2) Sections 4, 5, 6(1)(d) to (5)(d), 8, and 14(3) do not
 18 apply to a person who is not a resident of this state and who is in
 19 this state only for the purpose of travel between locations outside
 20 of this state.

21 (3) **SECTIONS 4, 5, 6(1)(D) TO (5)(D), AND 14(3) DO NOT APPLY**
 22 **TO AN ANIMAL CONTROL SHELTER OR ANIMAL PROTECTION SHELTER IN**
 23 **POSSESSION OF A LARGE CARNIVORE TO PROVIDE HUMANE EUTHANASIA OR**
 24 **EXPORT THE LARGE CARNIVORE TO ANOTHER STATE UNDER SECTION 8.**

25 (4) ~~(3) Subject to subsection (2), this act does~~ **SECTIONS 4,**
 26 **6(1)(D) TO (5)(D), 8, AND 14(3) DO** not apply to a person who
 27 **RESIDES IN THIS STATE AND** meets all of the following requirements:

1 (a) Is conducting a for-profit or nonprofit business, if the
2 primary purpose of that business is the presentation of animals
3 including large carnivores to the public for education or
4 exhibition purposes.

5 (b) Is a class C licensee that possesses and maintains a class
6 C license under 9 CFR parts 1 and 2.

7 (c) Meets or exceeds all standards **REQUIRED OF A CLASS C**
8 **LICENSEE UNDER 9 CFR PARTS 1 AND 2**, including, but not limited to,
9 standards for training, housing, care, and transport of large
10 carnivores. ~~, required of a class C licensee under 9 CFR parts 1~~
11 ~~and 2.~~ **IF THE UNITED STATES DEPARTMENT OF AGRICULTURE HAS, WITHIN**
12 **THE LAST 5 YEARS, CONFISCATED AN ANIMAL OF, OR ISSUED A CRITICAL**
13 **NONCOMPLIANCE TO OR A CIVIL PENALTY, INCLUDING A CEASE AND DESIST**
14 **ORDER, A MONETARY PENALTY, OR A LICENSE SUSPENSION OR REVOCATION**
15 **AGAINST, A CLASS C LICENSEE, THAT CLASS C LICENSEE DOES NOT MEET**
16 **THE REQUIREMENT UNDER THIS SUBDIVISION.**

17 (d) Except as provided in subsection ~~(4)~~, **(5)**, does not allow
18 a patron to do ~~any~~ **EITHER** of the following:

19 (i) Come into direct contact with a large carnivore.

20 (ii) Come into close enough contact with a large carnivore
21 over 20 weeks of age so as to place the patron in jeopardy of being
22 harmed by the large carnivore.

23 (e) Does not sell large carnivores, except to another person
24 that meets the requirements of this subsection.

25 (f) Does not breed large carnivores.

26 ~~(5) (4) This act does not apply to a~~ **A** person who allows
27 **OTHERWISE MEETS THE REQUIREMENTS UNDER SUBSECTION (4) MAY ALLOW a**

patron to come into contact with a large carnivore ~~under subsection~~
~~(3) (d) (i) or (ii)~~ if the large carnivore is a bear less than 36
weeks of age or a bear weighing 90 pounds or less if the person
~~otherwise meets the requirements of subsection (3) and satisfies~~ 1
of the following:

(a) The person was in possession of a bear on ~~the effective~~
~~date of the 2013 amendatory act that amended this section.~~ **MARCH 26,**
2013.

(b) The person acquired a business described in subsection
~~(3) (a) (4)~~ from a person who was in possession of a bear on ~~the~~
~~effective date of the 2013 amendatory act that amended this~~
~~section.~~ **MARCH 26, 2013.**

~~— (5) This act does not apply to a circus.~~

(6) **SECTIONS 3 (B), 4, 5, 6 (1) (D) TO (5) (D), AND 14 (3) DO NOT**
APPLY TO A PERSON WHO HOLDS A VALID BREEDING LICENSE UNDER SECTION
22B.

SEC. 22A. SUBJECT TO SECTION 22B, A PERSON WHO MEETS ALL OF
THE FOLLOWING REQUIREMENTS MAY APPLY TO THE DEPARTMENT FOR A
BREEDING LICENSE TO BREED LARGE CARNIVORES:

(A) **IS CONDUCTING A FOR-PROFIT OR NONPROFIT BUSINESS, IF THE**
PRIMARY PURPOSE OF THAT BUSINESS IS THE PRESENTATION OF ANIMALS
INCLUDING LARGE CARNIVORES TO THE PUBLIC FOR EDUCATION OR
EXHIBITION PURPOSES.

(B) **IS A CLASS C LICENSEE THAT POSSESSES AND MAINTAINS A CLASS**
C LICENSE UNDER 9 CFR PARTS 1 AND 2.

(C) **MEETS OR EXCEEDS ALL STANDARDS REQUIRED OF A CLASS C**
LICENSEE UNDER 9 CFR PARTS 1 AND 2, INCLUDING, BUT NOT LIMITED TO,

1 STANDARDS FOR TRAINING, HOUSING, CARE, AND TRANSPORT OF LARGE
2 CARNIVORES. IF THE UNITED STATES DEPARTMENT OF AGRICULTURE HAS,
3 WITHIN THE LAST 5 YEARS, CONFISCATED AN ANIMAL OF, OR ISSUED A
4 CRITICAL NONCOMPLIANCE TO OR A CIVIL PENALTY, INCLUDING A CEASE AND
5 DESIST ORDER, A MONETARY PENALTY, OR A LICENSE SUSPENSION OR
6 REVOCATION AGAINST, A CLASS C LICENSEE, THAT CLASS C LICENSEE DOES
7 NOT MEET THE REQUIREMENT UNDER THIS SUBDIVISION.

8 (D) DOES NOT ALLOW A PATRON TO COME INTO DIRECT CONTACT WITH A
9 LARGE CARNIVORE.

10 (E) DOES NOT SELL LARGE CARNIVORES, EXCEPT TO ANOTHER PERSON
11 THAT MEETS THE REQUIREMENTS OF THIS SECTION.

12 SEC. 22B. (1) THE APPLICATION FOR A LICENSE TO BREED LARGE
13 CARNIVORES MUST BE ON A FORM PRESCRIBED BY THE DEPARTMENT AND MUST
14 CONTAIN BOTH OF THE FOLLOWING:

15 (A) THE NAME, ADDRESS, TELEPHONE NUMBER, AND ELECTRONIC MAIL
16 ADDRESS OF THE PERSON APPLYING AND, IF THE PERSON APPLYING IS A
17 CORPORATION, PARTNERSHIP, ASSOCIATION, GOVERNMENTAL ENTITY, OR
18 OTHER LEGAL ENTITY, LIST ANY PARTNERS, OFFICERS, OR AGENT FOR
19 SERVICE OF PROCESS.

20 (B) A DESCRIPTION OF THE 2 LARGE CARNIVORES THE PERSON INTENDS
21 TO BREED AND THE PURPOSE FOR THE BREEDING THAT DEMONSTRATES
22 COMPLIANCE WITH SECTION 22C(1) (I) .

23 (2) THE APPLICATION DESCRIBED UNDER SUBSECTION (1) MUST BE
24 ACCOMPANIED BY THE FOLLOWING:

25 (A) DOCUMENTATION FROM THE UNITED STATES DEPARTMENT OF
26 AGRICULTURE THAT THE PERSON HAS NOT HAD AN ANIMAL CONFISCATED OR
27 BEEN ISSUED A CRITICAL NONCOMPLIANCE OR CIVIL PENALTY AS DESCRIBED

1 IN SECTION 22A(C) .

2 (B) DOCUMENTATION THAT THE PERSON COMPLIES WITH SECTION 22A.

3 (C) DOCUMENTATION THAT THE PERSON COMPLIES WITH SECTION 22C.

4 DOCUMENTATION THAT THE PERSON COMPLIES WITH SECTION 22C(1)(C) AND

5 (D) MUST BE FROM A LOCAL LAW ENFORCEMENT AGENCY.

6 (D) AN APPLICATION FEE OF \$2,500.00.

7 (3) EXCEPT AS PROVIDED IN SUBSECTIONS (6), (8), AND (9), A

8 BREEDING LICENSE TO BREED THE 2 LARGE CARNIVORES IDENTIFIED UNDER

9 SUBSECTION (1)(B) THAT IS GRANTED UNDER THIS SECTION IS VALID FOR 3

10 YEARS FROM THE DATE THE BREEDING LICENSE IS GRANTED.

11 (4) UPON RECEIPT OF AN APPLICATION DESCRIBED UNDER SUBSECTION

12 (1), THE DEPARTMENT SHALL FORWARD THE APPLICATION TO THE LARGE

13 CARNIVORE BREEDING ADVISORY COMMITTEE CREATED IN SUBSECTION (5) .

14 NOT LATER THAN 90 DAYS AFTER RECEIVING AN APPLICATION UNDER

15 SUBSECTION (1), THE DEPARTMENT SHALL DENY, GRANT, OR GRANT WITH

16 CONDITIONS THE APPLICATION FOR A BREEDING LICENSE AFTER CONSIDERING

17 THE RECOMMENDATION OF THE STATE VETERINARIAN. THE DEPARTMENT SHALL

18 NOT GRANT MORE THAN 10 NEW BREEDING LICENSES IN A CALENDAR YEAR.

19 RECEIPT OF THE APPLICATION IS CONSIDERED THE DATE THE APPLICATION

20 IS RECEIVED BY ANY AGENCY OR DEPARTMENT OF THIS STATE. IF THE

21 APPLICATION IS CONSIDERED INCOMPLETE BY THE DEPARTMENT, THE

22 DEPARTMENT SHALL NOTIFY THE APPLICANT IN WRITING OR MAKE NOTICE

23 ELECTRONICALLY AVAILABLE WITHIN 14 DAYS AFTER RECEIPT OF THE

24 INCOMPLETE APPLICATION, DESCRIBING THE DEFICIENCY AND REQUESTING

25 ADDITIONAL INFORMATION. IF THE DEPARTMENT IDENTIFIES A DEFICIENCY,

26 THE 90-DAY PERIOD IS TOLLED UPON NOTIFICATION BY THE DEPARTMENT OF

27 A DEFICIENCY AND UNTIL THE DATE THE REQUESTED INFORMATION IS

1 RECEIVED BY THE DEPARTMENT.

2 (5) THE LARGE CARNIVORE BREEDING ADVISORY COMMITTEE IS CREATED
3 IN THE DEPARTMENT TO ADVISE THE DEPARTMENT ON APPLICATIONS FOR A
4 BREEDING LICENSE. THE COMMITTEE SHALL CONSIST OF THE STATE
5 VETERINARIAN, WHO SHALL SERVE AS CHAIRPERSON, AND THE FOLLOWING 2
6 MEMBERS APPOINTED BY THE GOVERNOR:

7 (A) ONE INDIVIDUAL WHO IS A MEMBER OF A PUBLIC ZOO.

8 (B) ONE INDIVIDUAL WHO IS A MEMBER OF A PRIVATE ZOO.

9 (6) THE DEPARTMENT MAY REVOKE A BREEDING LICENSE GRANTED UNDER
10 THIS SECTION UPON THE ADVICE FROM THE STATE VETERINARIAN AND AFTER
11 NOTICE AND A HEARING AS PROVIDED UNDER THE ADMINISTRATIVE
12 PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328.

13 (7) THE REVENUE RECEIVED FOR APPLICATION FEES UNDER THIS
14 SECTION SHALL BE DEPOSITED IN THE AGRICULTURE LICENSING AND
15 INSPECTION FEES FUND CREATED IN SECTION 9 OF THE INSECT PEST AND
16 PLANT DISEASE ACT, 1931 PA 189, MCL 286.209. THE APPLICATION FEES
17 COLLECTED UNDER THIS SECTION AND PLACED IN THE AGRICULTURE
18 LICENSING AND INSPECTION FEES FUND SHALL BE USED ONLY BY THE
19 DEPARTMENT TO IMPLEMENT THIS SECTION.

20 (8) THE DEPARTMENT MAY ALLOW A PERSON TO AMEND A BREEDING
21 LICENSE TO BREED A LARGE CARNIVORE THAT WAS NOT IDENTIFIED ON THE
22 APPLICATION UNDER SUBSECTION (1)(B) IF THE PERSON PROVIDES ALL OF
23 THE FOLLOWING INFORMATION TO THE DEPARTMENT ON FORMS PRESCRIBED BY
24 THE DEPARTMENT:

25 (A) VERIFICATION THE PERSON HOLDS A VALID BREEDING LICENSE.

26 (B) A DESCRIPTION OF THE LARGE CARNIVORE THAT WAS NOT
27 IDENTIFIED ON THE APPLICATION UNDER SUBSECTION (1)(B).

1 (C) IDENTIFICATION OF THE LARGE CARNIVORE TO BE REMOVED FROM
2 THE BREEDING LICENSE.

3 (D) THE REASONS THE LARGE CARNIVORE IDENTIFIED UNDER
4 SUBDIVISION (C) WAS UNABLE TO BREED.

5 SEC. 22C. (1) A PERSON WHO HOLDS A BREEDING LICENSE GRANTED
6 UNDER SECTION 22B SHALL DO ALL OF THE FOLLOWING:

7 (A) ENSURE THAT A FACILITY IN WHICH A LARGE CARNIVORE IS
8 HOUSED IS ADEQUATELY LIT AND FREE OF CLUTTER. SERVICE DOORS MUST BE
9 CLEARLY MARKED AND IN GOOD WORKING CONDITION, AND SUFFICIENT
10 BARRIERS MUST BE IN PLACE TO PREVENT UNAUTHORIZED ACCESS TO AREAS
11 NOT INTENDED FOR PUBLIC ACCESS.

12 (B) PROVIDE IMMEDIATE ACCESS TO STAFF WORKING WITH OR AROUND
13 LARGE CARNIVORES TO DESIGNATED EMERGENCY RESPONSE PERSONNEL THROUGH
14 A WALKIE-TALKIE, CELLULAR TELEPHONE, ALARM, OR OTHER ELECTRONIC
15 DEVICE.

16 (C) CREATE WRITTEN EMERGENCY PROTOCOLS FOR LARGE CARNIVORE
17 ESCAPES AND INJURIES TO HUMANS BY LARGE CARNIVORES AND CONDUCT
18 ANNUAL EMERGENCY DRILLS TO PRACTICE RESPONSES FOR LARGE CARNIVORE
19 ESCAPES AND INJURIES TO HUMANS BY LARGE CARNIVORES. THE EMERGENCY
20 PROTOCOLS MUST INCLUDE COMMUNICATION SYSTEMS TO NOTIFY LOCAL LAW
21 ENFORCEMENT AND EMERGENCY SERVICES.

22 (D) IF LAW ENFORCEMENT IS NOT WITHIN A REASONABLE DISTANCE
23 FROM THE FACILITY, CREATE A TRAINED FIREARMS TEAM. A TRAINED
24 FIREARMS TEAM SHALL HAVE PROFESSIONAL TRAINING AND PRACTICE
25 EMERGENCY RESPONSES AT LEAST 2 TIMES EACH YEAR.

26 (E) PROVIDE AND ENSURE THE FUNCTIONALITY OF SECURITY AND FIRE
27 PROTECTION SYSTEMS AND METHODS THAT PROVIDE A REASONABLE LEVEL OF

1 SAFETY FOR THE COLLECTION OF ANIMALS ON A 24-HOUR BASIS, INCLUDING,
2 BUT NOT LIMITED TO, COMPLIANCE WITH LOCAL BUILDING CODES AND AN
3 APPROPRIATE COMBINATION OF NIGHT SECURITY, PATROLS, FIRE AND SMOKE
4 DETECTION SYSTEMS AND ALARMS, MONITORS, AND BUILDING DESIGN
5 FEATURES.

6 (F) HOUSE A LARGE CARNIVORE THAT IS NOT NATIVE TO A TEMPERATE
7 ENVIRONMENT IN AN ENVIRONMENT THAT HAS CLIMATE CONTROL AND IS
8 COMFORTABLE FOR THAT SPECIES OF LARGE CARNIVORE. AN ENVIRONMENT
9 THAT RELIES ON CLIMATE CONTROL MUST HAVE AN EMERGENCY BACKUP SYSTEM
10 AVAILABLE, AND ALL MECHANICAL EQUIPMENT MUST BE INCLUDED IN A
11 DOCUMENTED PREVENTATIVE MAINTENANCE PROGRAM.

12 (G) ENSURE THAT THE CONDITIONS IN WHICH THE LARGE CARNIVORE IS
13 KEPT TAKE INTO ACCOUNT ALL OF THE FOLLOWING:

14 (i) NEED FOR SPACE.

15 (ii) NEED FOR COMPLEXITY IN THE LARGE CARNIVORE'S ENVIRONMENT
16 IN ORDER TO PROVIDE FOR THE LARGE CARNIVORE'S PHYSICAL, SOCIAL, AND
17 PSYCHOLOGICAL WELL-BEING. THE SPACE IN WHICH THE LARGE CARNIVORE IS
18 KEPT MUST INCLUDE PROVISIONS FOR THE BEHAVIORAL ENRICHMENT OF THE
19 LARGE CARNIVORE.

20 (iii) CHOICE AND CONTROL OVER THE USE OF SPACE AND SOCIAL
21 INTERACTIONS WITH OTHER LARGE CARNIVORES IN THE SAME SPACE. THE
22 PERSON MUST BE CAPABLE OF SEPARATING A LARGE CARNIVORE FROM OTHER
23 ANIMALS IF THE LARGE CARNIVORE EXHIBITS A DESIRE FOR SEPARATION.

24 (iv) PROTECTION FROM INJURY AND DISEASE.

25 (H) TRAIN STAFF TO RECOGNIZE ABNORMAL BEHAVIOR AND CLINICAL
26 SIGNS OF ILLNESS AND HAVE KNOWLEDGE REGARDING THE DIETS, HUSBANDRY,
27 NATURAL HISTORY, AND CARE REQUIRED FOR LARGE CARNIVORES UNDER THEIR

1 CARE TO ENSURE THE WELL-BEING OF THE LARGE CARNIVORES.

2 (I) MAINTAIN A WRITTEN POLICY FOR THE ACQUISITION, TRANSFER,
3 AND DISPOSITION OF LARGE CARNIVORES. THE WRITTEN POLICY DESCRIBED
4 IN THIS SUBDIVISION MUST SATISFY ALL OF THE FOLLOWING:

5 (i) THE POLICY MUST COMPLY WITH ALL APPLICABLE LOCAL, STATE,
6 FEDERAL, AND INTERNATIONAL LAWS AND REGULATIONS.

7 (ii) THE POLICY MUST REQUIRE DOCUMENTATION OF OWNERSHIP OF
8 LARGE CARNIVORES AND ANY APPLICABLE CHAIN OF CUSTODY.

9 (iii) THE POLICY MUST ESTABLISH A SYSTEM FOR THE DOCUMENTATION
10 OF ACQUISITION, TRANSFER, AND DISPOSITION OF LARGE CARNIVORES USING
11 A COMPREHENSIVE INSTITUTIONAL RECORD-KEEPING SYSTEM. INDIVIDUAL
12 LARGE CARNIVORES MUST BE PERMANENTLY IDENTIFIED AS PROVIDED IN
13 SECTION 5.

14 (iv) THE POLICY MUST REQUIRE THE ACQUISITION OF A FREE-RANGING
15 ANIMAL TO BE DONE IN ACCORDANCE WITH APPLICABLE LOCAL, STATE,
16 FEDERAL, AND INTERNATIONAL LAWS AND REGULATIONS AND PROHIBIT THE
17 ACQUISITION IF IT IS DETRIMENTAL TO THE LONG-TERM VIABILITY OF THE
18 LARGE CARNIVORE SPECIES IN THE WILD.

19 (J) MEET ALL APPLICABLE LOCAL, STATE, FEDERAL, AND
20 INTERNATIONAL LAWS AND REGULATIONS WHEN DESIGNATING A LARGE
21 CARNIVORE FOR REINTRODUCTION AND RELEASE INTO THE WILD.

22 (K) SATISFY ALL OF THE FOLLOWING REQUIREMENTS:

23 (i) SIGNS AND PROVIDES TO THE DEPARTMENT A SUCCESSION PLAN FOR
24 THE LARGE CARNIVORES HELD BY THE PERSON. THE PERSON SHALL ALSO SIGN
25 AND PROVIDE TO THE DEPARTMENT AN AFFIDAVIT STATING THAT THE PERSON
26 HAS THE FINANCIAL ABILITY TO CARE FOR THE COLLECTION OF LARGE
27 CARNIVORES.

1 (ii) HAS A WRITTEN CONTINGENCY PLAN IN PLACE IN THE EVENT THAT
2 A SIGNIFICANT DECREASE IN OPERATING INCOME OCCURS.

3 (iii) PROVIDES INSURANCE COVERAGE FOR STAFF, VOLUNTEERS,
4 VISITORS, AND PHYSICAL FACILITIES.

5 (l) PARTICIPATE IN SCIENTIFIC, SUSTAINABLE, AND COOPERATIVELY
6 MANAGED BREEDING PROGRAMS THAT IDENTIFY SPECIFIC AND TYPICALLY
7 THREATENED OR ENDANGERED LARGE CARNIVORE SPECIES THAT ARE COMPOSED
8 OF LARGE CARNIVORES OF KNOWN PROVENANCE AND PEDIGREE. A BREEDING
9 PROGRAM DESCRIBED IN THIS SUBDIVISION MUST BE BASED ON
10 COMPREHENSIVE PEDIGREE AND DEMOGRAPHIC DATABASES AND ANALYSES AND
11 MUST HAVE LONG-RANGE POPULATION MANAGEMENT GOALS AND
12 RECOMMENDATIONS TO ENSURE SUSTAINABILITY OF THE POPULATION. A
13 BREEDING PROGRAM DESCRIBED IN THIS SUBDIVISION MUST NOT ALLOW THE
14 BREEDING OF SPECIES HYBRIDS OR THE BREEDING OF A LARGE CARNIVORE
15 FOR THE PURPOSE OF SELLING, BARTERING, OR TRADING THE LARGE
16 CARNIVORE'S PARTS, AND MUST ENSURE THAT ADEQUATE SPACE TO HOUSE
17 OFFSPRING OF A LARGE CARNIVORE IS IN PLACE.

18 (m) SATISFY ALL OF THE FOLLOWING WITH RESPECT TO VETERINARY
19 CARE OF A LARGE CARNIVORE:

20 (i) HAS A STAFF OR ATTENDING VETERINARIAN WITH KNOWLEDGE OF
21 THE SPECIES OF LARGE CARNIVORE HELD BY THE PERSON AVAILABLE 24
22 HOURS PER DAY.

23 (ii) HAS A VETERINARY CARE PROGRAM THAT EMPHASIZES DISEASE
24 PREVENTION.

25 (iii) PERFORMS ROUTINE HEALTH EVALUATIONS TO EVALUATE FOR
26 INFECTIOUS AND NONINFECTIOUS DISEASES COMMON TO LARGE CARNIVORES.
27 THE HEALTH EVALUATIONS DESCRIBED IN THIS SUBPARAGRAPH MUST INCLUDE,

1 BUT ARE NOT LIMITED TO, ALL OF THE FOLLOWING:

2 (A) FECAL PARASITE SCREENING.

3 (B) COMPLETE BLOOD COUNT AND SERUM CHEMISTRY.

4 (C) WEIGHT.

5 (D) HEALTH EXAMINATIONS DESCRIBED IN SECTION 6(5)(K).

6 (iv) REGULARLY VACCINATES LARGE CARNIVORES FOR INFECTIOUS
7 DISEASES, AS CONSIDERED NECESSARY BY THE ATTENDING VETERINARIAN,
8 AND EXCLUDES FROM ENCLOSURES WILDLIFE OR FERAL ANIMALS THAT COULD
9 TRANSMIT AN INFECTIOUS DISEASE TO A CAPTIVE LARGE CARNIVORE.

10 (v) CONSIDERS PROCEDURES INCLUDING, BUT NOT LIMITED TO,
11 CASTRATION AND OVARIOHYSTERECTOMY, THAT WOULD BENEFIT THE LONG-TERM
12 HEALTH AND WELFARE OF AN INDIVIDUAL LARGE CARNIVORE.

13 (vi) ADOPTS HUMANE EUTHANASIA PRACTICES AS SET FORTH IN THE
14 "AMERICAN VETERINARY MEDICAL ASSOCIATION EUTHANASIA GUIDELINES",
15 PERFORMS NECROPSIES ON THE DECEASED LARGE CARNIVORES TO DETERMINE
16 THE CAUSE OF DEATH, AND DISPOSES OF A LARGE CARNIVORE AFTER A
17 NECROPSY IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL LAW.

18 (vii) MEETS ALL APPLICABLE LAWS OR REGULATIONS REGARDING FOOD
19 PREPARATION AND STORAGE.

20 (viii) PROVIDES A NUTRITIOUS DIET AND, TO THE BEST OF THE
21 PERSON'S ABILITY, MINIMIZES DISEASE, NUTRITIONAL DEFICIENCIES,
22 INFECTIONS, PARASITE INFESTATIONS, AND OBESITY.

23 (ix) MAKES WRITTEN PROCEDURES AVAILABLE TO STAFF FOR THE USE
24 OF DRUGS FOR VETERINARY PURPOSES, AND MAINTAINS APPROPRIATE
25 SECURITY OVER VETERINARY DRUGS.

26 (N) MAINTAIN A WRITTEN CONSERVATION ACTION PLAN AND STRATEGY
27 THAT IS PART OF A COLLABORATIVE, SCIENTIFICALLY MANAGED SPECIES

1 CONSERVATION PROGRAM FOR EACH SPECIES OF LARGE CARNIVORE HELD THAT
2 INCLUDES, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

3 (i) PARTICIPATION IN LOCAL, REGIONAL, NATIONAL, OR
4 INTERNATIONAL CONSERVATION PROGRAMS, INCLUDING, BUT NOT LIMITED TO,
5 STAFF SUPPORT OR PARTICIPATION IN FIELD CONSERVATION ACTIVITIES AND
6 FINANCIAL SUPPORT.

7 (ii) EDUCATION AWARENESS PROGRAMS FOR GUESTS, STAFF,
8 VOLUNTEERS, SUPPORTERS, MEMBERS, VENDORS, AND CONTRACTORS.

9 (iii) EVALUATION AND MEASUREMENT OF THE IMPACT OF CONSERVATION
10 PROGRAMS AND ACTIVITIES.

11 (2) A PERSON WHO HOLDS A BREEDING LICENSE GRANTED UNDER
12 SECTION 22B SHALL NOT DO ANY OF THE FOLLOWING:

13 (A) TRANSFER A LARGE CARNIVORE TO A PERSON THAT IS NOT
14 QUALIFIED OR CAPABLE OF SAFELY MAINTAINING THE LARGE CARNIVORE OR
15 ENSURING ITS WELL-BEING.

16 (B) TRANSFER A LARGE CARNIVORE TO AN ANIMAL AUCTION OR TO A
17 PERSON THAT MAY DISPLAY OR SELL THE LARGE CARNIVORE AT AN ANIMAL
18 AUCTION.

19 (C) TRANSFER A LARGE CARNIVORE TO A PERSON THAT ALLOWS THE
20 HUNTING OF LARGE CARNIVORES.

21 (D) RAISE A LARGE CARNIVORE FOR THE PURPOSE OF PROVIDING FOOD,
22 FUR, PELTS, BODY PARTS, ORGANS, OR BODILY FLUIDS, OR TRANSFER A
23 LARGE CARNIVORE TO A PERSON THAT WILL USE THE LARGE CARNIVORE FOR
24 ANY OF THESE PURPOSES.

25 (E) PERFORM DISFIGURING PROCEDURES, INCLUDING, BUT NOT LIMITED
26 TO, DECLAWING AND CANINE TOOTH REMOVAL, UNLESS CONSIDERED MEDICALLY
27 NECESSARY BY THE ATTENDING VETERINARIAN.

1 (F) REMOVE SOCIALLY OR NUTRITIONALLY DEPENDENT YOUNG LARGE
2 CARNIVORES FROM THEIR MOTHERS FOR HAND-REARING UNLESS DEEMED
3 MEDICALLY NECESSARY BY THE ATTENDING VETERINARIAN.

4 Enacting section 1. This amendatory act takes effect 90 days
5 after the date it is enacted into law.