

LARGE CARNIVORE ACT (EXCERPT)
Act 274 of 2000

287.1122 Exceptions; breeding black bear sows.

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

(a) A person who is licensed or approved by the department of natural resources of this state or by the United States Fish and Wildlife Service of the United States Department of the Interior. This subdivision does not apply to a person in possession of 1 or more black bears under the authority of a permit to hold wildlife in captivity issued by the department of natural resources.

(b) A law enforcement officer acting under the authority of this act.

(c) A veterinarian temporarily in possession of a large carnivore to provide veterinary care for or humanely euthanize the large carnivore.

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

(3) Sections 4, 5, 6(1)(d) to (5)(d), and 14(3) do not apply to an animal control shelter or animal protection shelter in possession of a large carnivore to provide humane euthanasia or export the large carnivore to another state under section 8.

(4) Sections 4, 6(1)(d) to (5)(d), 8, and 14(3) do not apply to a person who resides in this state and meets all of the following requirements:

(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, standards for training, housing, care, and transport of large carnivores. If the United States Department of Agriculture has, within the last 5 years, confiscated an animal of, or issued a finally determined direct or critical noncompliance to or a civil penalty, including a cease and desist order, a monetary penalty, or a license suspension or revocation against, a class C licensee, that class C licensee does not meet the requirement under this subdivision.

(d) Except as provided in subsection (5), does not allow a patron to do either of the following:

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

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

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

(f) Does not breed large carnivores.

(5) A person who otherwise meets the requirements under subsection (4) may allow a patron to come into contact with a large carnivore if the large carnivore is a bear less than 36 weeks of age or a bear weighing 90 pounds or less if the person satisfies 1 of the following:

(a) The person was in possession of a bear on March 26, 2013.

(b) The person acquired a business described in subsection (4) from a person who was in possession of a bear on March 26, 2013.

(6) Notwithstanding any law to the contrary, a person who meets the requirements of subsection (5) may breed not more than 4 black bear sows per year if the person satisfies all of the following conditions:

(a) The person does not transfer a large carnivore to any of the following:

(i) A person that is not qualified or capable, as determined by the department, of safely maintaining the large carnivore or ensuring its well-being.

(ii) An animal auction or a person that may display or sell the large carnivore at an animal auction.

(iii) A person that allows the hunting of large carnivores.

(b) The person does not raise a large carnivore for the purpose of providing food, fur, pelts, body parts, organs, or bodily fluids, or transfer a large carnivore to a person that will use the large carnivore for any of those purposes.

(c) The person does not perform disfiguring procedures, including, but not limited to, declawing or canine tooth removal, unless considered medically necessary by a licensed veterinarian.

(7) 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.

History: 2000, Act 274, Imd. Eff. July 7, 2000;—Am. 2013, Act 8, Imd. Eff. Mar. 26, 2013;—Am. 2018, Act 609, Eff. Mar. 28, 2019;—Am. 2018, Act 610, Eff. Mar. 28, 2019.