

HCS HB 426 -- LARGE CARNIVORE ACT (Sutherland)

COMMITTEE OF ORIGIN: Committee on Agriculture Policy

This substitute establishes the Large Carnivore Act which prohibits any person from owning, breeding, possessing, transferring ownership, or transporting a large carnivore unless he or she has a permit. "Large carnivore" is defined as any cat of the Felidae family that is nonnative to this state held in captivity excluding any common domestic or house cat or any species of bear that is nonnative to this state and held in captivity. The Division of Animal Health within the Department of Agriculture is required to implement and enforce the provisions of the substitute and to identify and register a list of available qualified veterinarians who have applied and been approved to be included in the registry. Approved veterinarians are to have experience in handling, anesthetizing, and managing husbandry and medical and surgical issues regarding large carnivores. Certain requirements regarding the care and control of a large carnivore will be verified and affirmed by a qualified veterinarian by sworn affidavit on a form provided by the department at intervals established by the department. The department may, as necessary or upon complaint, verify the veterinarian's findings. Any qualified veterinarian who submits a false affidavit will be guilty of a class B misdemeanor.

Any person who owns or possesses a large carnivore is liable in a civil action for the death or injury of a human or another animal and for any property damage caused by the large carnivore. If a large carnivore escapes or is released intentionally or unintentionally, the owner is required to immediately notify law enforcement and is liable for all expenses associated with the efforts to recapture the large carnivore. Beginning January 1, 2011, as a condition of being permitted to own a large carnivore, the owner is required to show proof of having liability insurance in an amount of not less than \$250,000 and annually provide verification to the department that the insurance is being maintained. Applications for a permit are to be accompanied by a fee not to exceed \$2,500 for each large carnivore with an annual renewal fee of not to exceed \$500 as established by the department for enforcing the provisions of the substitute.

Requirements for the confinement, handling, sanitation, feeding, transporting, identification, veterinary care, seizure, and euthanasia of large carnivores are specified. The requirements are in addition to any applicable state or federal law and do not preclude any local political subdivision from adopting more restrictive laws. Certain entities, law enforcement officers, animal control officers, veterinarians, and department employees are exempt from the substitute.

Any person violating the provisions of the substitute will be guilty of a class A misdemeanor. Any person who intentionally releases a large carnivore will be guilty of a class D felony. Violators may also be required to do community service work or lose the privilege of owning a large carnivore.

FISCAL NOTE: No impact on state funds in FY 2010, FY 2011, and FY 2012.