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## LARGE CARNIVORE REGULATION

Senate Bill 782 (Substitute H-2)  
Addendum to SFA analysis (4-12-00)

Sponsor: Sen. Bill Bullard, Jr.  
Senate Committee: Farming, Agribusiness  
and Food Systems  
House Committee: Health Policy

### ADDENDUM TO SENATE FISCAL AGENCY ANALYSIS OF SB 782 DATED 12-17-99:

#### *HOUSE COMMITTEE ACTION:*

The House Health Policy Committee adopted a substitute for the bill which, among several changes, would exclude circuses from regulation under the bill. A “circus” would be defined as an incorporated, Class C licensee that is licensed under federal regulations, that is temporarily within the state, and that offers skilled performances by live animals, clowns, and acrobats for public entertainment. A circus would not include a person who presents a large carnivore to the public as part of a carnival or for exhibition; education; or entertainment that included wrestling, a photography opportunity with a patron, or activities in which a large carnivore and a patron are in close contact with each other.

The bill would also not apply to persons who conducted a business involving the presentation of large carnivores to the public for education or exhibition purposes; who possessed a Class C license under Chapter I of Title 9 of the Code of Federal Regulations; who met or exceeded the standards under the federal regulation for training, housing, care, and transport of large carnivores; who did not allow a patron to come into direct contact with a large carnivore or to come into close enough contact with an animal over 20 weeks of age that would place the patron in jeopardy of injury; who only sold large carnivores to other persons meeting the bill’s requirements; and who did not breed large carnivores.

Other changes are as follows:

- The Senate-passed version would allow a law enforcement officer or other person to kill a large carnivore if the animal was attacking or chasing a person, livestock, poultry, or a mammalian pet. The House substitute instead would allow the large carnivore to be killed if it were attacking, injuring, or killing a human or one of the animals listed above. Further, the bill would specify that a law enforcement officer could kill a large carnivore if the animal was attacking, injuring, or killing wildlife. If a large carnivore were illegally killed by a law enforcement officer or other person, an owner with a valid permit for the animal could sue to recover the animal’s value. However, the bill would not limit the common law liability for death or injury of a human or for property damage caused by a large carnivore.

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- The bill would clarify that a person in possession of one or more black bears under the authority of a permit to hold wildlife in captivity issued by the Department of Natural Resources would still be regulated under all of the bill's provisions.

- Certain provisions of the bill would not pertain to a nonresident who was transporting his or her large carnivore through the state en route to a location outside of the state.

- The owner of a large carnivore would have to ensure that the animal received an annual checkup, including scheduled vaccinations, and other necessary medical care. The owner would have to keep copies of the animal's veterinary records and present the records to a law enforcement officer upon request.

- The bill requires a local unit of government to verify certain information before issuing a permit to own a large carnivore. The House substitute would add that an applicant for a large carnivore permit would have to be knowledgeable about a large carnivore's disposition and care requirements.

- A written statement giving the name and address of the veterinarian who would be caring for a large carnivore, along with the veterinarian's signature, would have to be submitted with the permit application.

- The House substitute deleted a provision that requires the owner of a large carnivore to have the animal vaccinated against rabies if a rabies vaccine was ever approved by the federal government for use in large carnivores.

- The Senate-passed bill would require a veterinarian to certify the cause of death when a large carnivore dies. The House substitute instead would require a veterinarian only to certify that the animal had died.

- The bill would clarify that the penalties for a violation of the bill's provisions would not apply to a law enforcement officer, veterinarian, or permitting agency performing their duties under the bill.

### ***POSITIONS:***

The Humane Society of the United States supports the bill. (4-10-00)

The Department of Agriculture supports the concept of the bill. (4-11-00)

The Michigan Veterinary Medical Association supports the bill, but has concerns about the bill's exemption from regulation of primates. (4-10-00)

The Michigan Humane Society supports the bill, but has some concerns regarding the exclusion from regulation of exhibitors with a USDA Class C license. (4-10-00)

Analyst: S. Stutzky

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.