

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.~~ **THOSE SPECIES OF**
25 **ANIMALS USED FOR HUMAN FOOD AND FOR FIBER OR THOSE SPECIES OF**
26 **ANIMALS USED FOR SERVICE TO HUMANS. LIVESTOCK INCLUDES, BUT IS NOT**
27 **LIMITED TO, CATTLE, SHEEP, NEW WORLD CAMELIDS, OLD WORLD CAMELIDS,**

1 GOATS, BISON, PRIVATELY OWNED CERVIDS, RATITES, SWINE, EQUINE,
 2 POULTRY, AQUACULTURE SPECIES, AND RABBITS. LIVESTOCK DOES NOT
 3 INCLUDE DOGS OR CATS.

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

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

6 (k) "Permitting agency" means the agency of a local unit that
 7 issues permits under section 4.

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

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

12 (N) "STATE VETERINARIAN" MEANS THE CHIEF ANIMAL HEALTH
 13 OFFICIAL OF THIS STATE AS APPOINTED BY THE DIRECTOR OF THE
 14 DEPARTMENT UNDER SECTION 7 OF THE ANIMAL INDUSTRY ACT, 1988 PA 466,
 15 287.707, OR HIS OR HER AUTHORIZED REPRESENTATIVE.

16 (O) ~~(n)~~ "Veterinarian" means a person licensed to practice
 17 veterinary medicine under article 15 of the public health code,
 18 1978 PA 368, MCL 333.16101 to 333.18838.

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

20 (a) Own or possess a large carnivore except in compliance with
 21 this act.

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

24 (c) Transfer ownership or possession of or receive a transfer
 25 of ownership or possession of a large carnivore, with or without
 26 remuneration. This subdivision does not apply to a transfer of
 27 ownership or possession of a large carnivore expressly authorized

1 or required by this act.

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

6 (2) Not more than 30 days after the notice is delivered, the
7 owner of the large carnivore shall transfer ownership and
8 possession of the large carnivore or, subject to subsection (3),
9 correct the violation and shall notify the law enforcement officer
10 of the action taken.

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

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

21 (5) Unless the owner of the large carnivore notifies the law
22 enforcement officer that the large carnivore was transferred under
23 subsection (2) or (3), the law enforcement officer shall conduct an
24 inspection at a reasonable time not less than 30 days after notice
25 of the violation was delivered. When the second inspection is
26 conducted, the owner of the large carnivore shall pay an inspection
27 fee of \$25.00 or actual, reasonable costs of the inspection,

1 whichever is greater, to the law enforcement officer.

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

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

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

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

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

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

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

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

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

1 of this state.

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

6 (4) ~~(3) Subject to subsection (2), this act does~~ SECTIONS 4,
7 6(1)(D) TO (5)(D), 8, AND 14(3) DO not apply to a person who
8 RESIDES IN THIS STATE AND meets all of the following requirements:

9 (a) Is conducting a for-profit or nonprofit business, if the
10 primary purpose of that business is the presentation of animals
11 including large carnivores to the public for education or
12 exhibition purposes.

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

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

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

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

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

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

7 (f) Does not breed large carnivores.

8 (5) ~~(4) This act does not apply to a~~ A person who allows
9 **OTHERWISE MEETS THE REQUIREMENTS UNDER SUBSECTION (4) MAY ALLOW** a
10 patron to come into contact with a large carnivore ~~under subsection~~
11 ~~(3) (d) (i) or (ii)~~ if the large carnivore is a bear less than 36
12 weeks of age or a bear weighing 90 pounds or less if the person
13 ~~otherwise meets the requirements of subsection (3) and satisfies~~ 1
14 of the following:

15 (a) The person was in possession of a bear on ~~the effective~~
16 ~~date of the 2013 amendatory act that amended this section.~~ **MARCH 26,**
17 **2013.**

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

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

23 (6) **NOTWITHSTANDING ANY LAW TO THE CONTRARY, A PERSON WHO**
24 **MEETS THE REQUIREMENTS OF SUBSECTION (5) MAY BREED NOT MORE THAN 4**
25 **BLACK BEAR SOWS PER YEAR IF THE PERSON SATISFIES ALL OF THE**
26 **FOLLOWING CONDITIONS:**

27 (A) **THE PERSON DOES NOT TRANSFER A LARGE CARNIVORE TO ANY OF**

1 THE FOLLOWING:

2 (i) A PERSON THAT IS NOT QUALIFIED OR CAPABLE, AS DETERMINED
3 BY THE DEPARTMENT, OF SAFELY MAINTAINING THE LARGE CARNIVORE OR
4 ENSURING ITS WELL-BEING.

5 (ii) AN ANIMAL AUCTION OR A PERSON THAT MAY DISPLAY OR SELL
6 THE LARGE CARNIVORE AT AN ANIMAL AUCTION.

7 (iii) A PERSON THAT ALLOWS THE HUNTING OF LARGE CARNIVORES.

8 (B) THE PERSON DOES NOT RAISE A LARGE CARNIVORE FOR THE
9 PURPOSE OF PROVIDING FOOD, FUR, PELTS, BODY PARTS, ORGANS, OR
10 BODILY FLUIDS, OR TRANSFER A LARGE CARNIVORE TO A PERSON THAT WILL
11 USE THE LARGE CARNIVORE FOR ANY OF THOSE PURPOSES.

12 (C) THE PERSON DOES NOT PERFORM DISFIGURING PROCEDURES,
13 INCLUDING, BUT NOT LIMITED TO, DECLAWING OR CANINE TOOTH REMOVAL,
14 UNLESS CONSIDERED MEDICALLY NECESSARY BY A LICENSED VETERINARIAN.

15 (7) SECTIONS 3(B), 4, 5, 6(1)(D) TO (5)(D), AND 14(3) DO NOT
16 APPLY TO A PERSON WHO HOLDS A VALID BREEDING LICENSE UNDER SECTION
17 22B.

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

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

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

27 (C) MEETS OR EXCEEDS ALL STANDARDS REQUIRED OF A CLASS C

1 LICENSEE UNDER 9 CFR PARTS 1 AND 2, INCLUDING, BUT NOT LIMITED TO,
2 STANDARDS FOR TRAINING, HOUSING, CARE, AND TRANSPORT OF LARGE
3 CARNIVORES. IF THE UNITED STATES DEPARTMENT OF AGRICULTURE HAS,
4 WITHIN THE LAST 5 YEARS, CONFISCATED AN ANIMAL OF, OR ISSUED A
5 FINALLY DETERMINED DIRECT OR CRITICAL NONCOMPLIANCE TO OR A CIVIL
6 PENALTY, INCLUDING A CEASE AND DESIST ORDER, A MONETARY PENALTY, OR
7 A LICENSE SUSPENSION OR REVOCATION AGAINST, A CLASS C LICENSEE,
8 THAT CLASS C LICENSEE DOES NOT MEET THE REQUIREMENT UNDER THIS
9 SUBDIVISION.

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

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

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

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

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

25 (2) THE APPLICATION DESCRIBED UNDER SUBSECTION (1) MUST BE
26 ACCOMPANIED BY THE FOLLOWING:

27 (A) DOCUMENTATION FROM THE UNITED STATES DEPARTMENT OF

1 AGRICULTURE THAT THE PERSON HAS NOT HAD AN ANIMAL CONFISCATED OR
2 BEEN ISSUED A FINALLY DETERMINED DIRECT OR CRITICAL NONCOMPLIANCE
3 OR CIVIL PENALTY AS DESCRIBED IN SECTION 22A(C).

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

5 (C) DOCUMENTATION THAT THE PERSON COMPLIES WITH SECTION 22C.
6 DOCUMENTATION THAT THE PERSON COMPLIES WITH SECTION 22C(1)(C) AND
7 (D) MUST BE FROM A LOCAL LAW ENFORCEMENT AGENCY.

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

9 (3) EXCEPT AS PROVIDED IN SUBSECTIONS (6) AND (8), A BREEDING
10 LICENSE TO BREED THE 2 LARGE CARNIVORES IDENTIFIED UNDER SUBSECTION
11 (1)(B) THAT IS GRANTED UNDER THIS SECTION IS VALID FOR 3 YEARS FROM
12 THE DATE THE BREEDING LICENSE IS GRANTED.

13 (4) UPON RECEIPT OF AN APPLICATION DESCRIBED UNDER SUBSECTION
14 (1), THE DEPARTMENT SHALL FORWARD THE APPLICATION TO THE LARGE
15 CARNIVORE BREEDING ADVISORY COMMITTEE CREATED IN SUBSECTION (5).
16 NOT LATER THAN 90 DAYS AFTER RECEIVING AN APPLICATION UNDER
17 SUBSECTION (1), THE DEPARTMENT SHALL DENY, GRANT, OR GRANT WITH
18 CONDITIONS THE APPLICATION FOR A BREEDING LICENSE AFTER CONSIDERING
19 THE RECOMMENDATION OF THE STATE VETERINARIAN. THE DEPARTMENT SHALL
20 NOT GRANT MORE THAN 10 NEW BREEDING LICENSES IN A CALENDAR YEAR.
21 RECEIPT OF THE APPLICATION IS CONSIDERED THE DATE THE APPLICATION
22 IS RECEIVED BY ANY AGENCY OR DEPARTMENT OF THIS STATE. IF THE
23 APPLICATION IS CONSIDERED INCOMPLETE BY THE DEPARTMENT, THE
24 DEPARTMENT SHALL NOTIFY THE APPLICANT IN WRITING OR MAKE NOTICE
25 ELECTRONICALLY AVAILABLE WITHIN 14 DAYS AFTER RECEIPT OF THE
26 INCOMPLETE APPLICATION, DESCRIBING THE DEFICIENCY AND REQUESTING
27 ADDITIONAL INFORMATION. IF THE DEPARTMENT IDENTIFIES A DEFICIENCY,

1 THE 90-DAY PERIOD IS TOLLED UPON NOTIFICATION BY THE DEPARTMENT OF
2 A DEFICIENCY AND UNTIL THE DATE THE REQUESTED INFORMATION IS
3 RECEIVED BY THE DEPARTMENT.

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

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

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

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

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

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

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

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

3 (C) IDENTIFICATION OF THE LARGE CARNIVORE TO BE REMOVED FROM
4 THE BREEDING LICENSE.

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

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

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

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

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

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

1 (E) PROVIDE AND ENSURE THE FUNCTIONALITY OF SECURITY AND FIRE
2 PROTECTION SYSTEMS AND METHODS THAT PROVIDE A REASONABLE LEVEL OF
3 SAFETY FOR THE COLLECTION OF ANIMALS ON A 24-HOUR BASIS, INCLUDING,
4 BUT NOT LIMITED TO, COMPLIANCE WITH LOCAL BUILDING CODES AND AN
5 APPROPRIATE COMBINATION OF NIGHT SECURITY, PATROLS, FIRE AND SMOKE
6 DETECTION SYSTEMS AND ALARMS, MONITORS, AND BUILDING DESIGN
7 FEATURES.

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

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

16 (i) NEED FOR SPACE.

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

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

26 (iv) PROTECTION FROM INJURY AND DISEASE.

27 (H) TRAIN STAFF TO RECOGNIZE ABNORMAL BEHAVIOR AND CLINICAL

1 SIGNS OF ILLNESS AND HAVE KNOWLEDGE REGARDING THE DIETS, HUSBANDRY,
2 NATURAL HISTORY, AND CARE REQUIRED FOR LARGE CARNIVORES UNDER THEIR
3 CARE TO ENSURE THE WELL-BEING OF THE LARGE CARNIVORES.

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

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

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

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

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

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

24 (K) SATISFY ALL OF THE FOLLOWING REQUIREMENTS:

25 (i) SIGN AND PROVIDE TO THE DEPARTMENT A SUCCESSION PLAN FOR
26 THE LARGE CARNIVORES HELD BY THE PERSON. THE PERSON SHALL ALSO SIGN
27 AND PROVIDE TO THE DEPARTMENT AN AFFIDAVIT STATING THAT THE PERSON

1 HAS THE FINANCIAL ABILITY TO CARE FOR THE COLLECTION OF LARGE
2 CARNIVORES.

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

5 (iii) PROVIDE INSURANCE COVERAGE FOR STAFF, VOLUNTEERS,
6 VISITORS, AND PHYSICAL FACILITIES.

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

20 (M) SATISFY ALL OF THE FOLLOWING WITH RESPECT TO VETERINARY
21 CARE OF A LARGE CARNIVORE:

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

25 (ii) HAS A VETERINARY CARE PROGRAM THAT EMPHASIZES DISEASE
26 PREVENTION.

27 (iii) PERFORM ROUTINE HEALTH EVALUATIONS TO EVALUATE FOR

1 INFECTIOUS AND NONINFECTIOUS DISEASES COMMON TO LARGE CARNIVORES.
2 THE HEALTH EVALUATIONS DESCRIBED IN THIS SUBPARAGRAPH MUST INCLUDE,
3 BUT ARE NOT LIMITED TO, ALL OF THE FOLLOWING:

4 (A) FECAL PARASITE SCREENING.

5 (B) COMPLETE BLOOD COUNT AND SERUM CHEMISTRY.

6 (C) WEIGHT.

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

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

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

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

20 (vii) MEET ALL APPLICABLE LAWS OR REGULATIONS REGARDING FOOD
21 PREPARATION AND STORAGE.

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

25 (ix) MAKE WRITTEN PROCEDURES AVAILABLE TO STAFF FOR THE USE OF
26 DRUGS FOR VETERINARY PURPOSES, AND MAINTAINS APPROPRIATE SECURITY
27 OVER VETERINARY DRUGS.

1 (N) MAINTAIN A WRITTEN CONSERVATION ACTION PLAN AND STRATEGY
2 THAT IS PART OF A COLLABORATIVE, SCIENTIFICALLY MANAGED SPECIES
3 CONSERVATION PROGRAM FOR EACH SPECIES OF LARGE CARNIVORE HELD THAT
4 INCLUDES, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

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

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

11 (iii) EVALUATION AND MEASUREMENT OF THE IMPACT OF CONSERVATION
12 PROGRAMS AND ACTIVITIES.

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

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

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

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

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

27 (E) PERFORM DISFIGURING PROCEDURES, INCLUDING, BUT NOT LIMITED

1 TO, DECLAWING AND CANINE TOOTH REMOVAL, UNLESS CONSIDERED MEDICALLY
2 NECESSARY BY THE ATTENDING VETERINARIAN.

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

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