

## **Alabama**

• ALA. ADMIN CODE r. 220-2-.26 -- Restrictions On Possession, Sale, Importation And/Or Release of Certain Animals And Fish.

(1) No person, firm, corporation, partnership, or association shall possess, sell, offer for sale, import, bring or cause to be brought or imported into the State of Alabama any of the following live fish or animals:

Any Walking Catfish or any other fish of the genus *Clarias*

Any Piranha or any fish of the genus *Serrasalmus*

Any Black Carp of the genus *Mylopharyngodon*

Any species of Mongoose

San Juan Rabbits, Jack Rabbits or any other species of wild rabbit or hare

Any member of the family *Cervidae* (to include but not be limited to deer, elk, moose, caribou),

species of coyote, species of fox, species of raccoon, species of skunk, wild rodent, or strain of wild turkey, from any area outside the state of Alabama.

(2) It shall be unlawful to release any tame turkey, or any other turkey, whether wild or tame, into any of the wild areas of this State. The provisions of this regulation shall not apply to any turkeys kept by any farmer or landowner of this State for normal agricultural purposes or for personal consumption. The provisions of this regulation shall not apply to any properly licensed circus or recognized zoos when such fish or animals are owned by such circuses or zoos for the purpose of display of same to the public.

(3) Nutria shall not be propagated or released in this State. No person, firm or corporation shall release any Nutria from captivity in this State or propagate any Nutria for the purpose of stocking in the wild of this State.

(4) All species of sturgeon are hereby declared to be protected fish within this State and any person who shall catch a sturgeon shall immediately return it to the waters from whence it came with the least possible harm.

(5) It shall be unlawful for any person, firm, or corporation to possess a species of sturgeon not native to Alabama waters, to introduce such a species of sturgeon to public waters of Alabama, or to offer for sale or import any such non-native sturgeon in Alabama, except by permit from the Commissioner of the Department of Conservation and Natural Resources.

(6) It shall be unlawful to possess, sell, offer for sale, import, or release any of the following fish: *Siniperca* spp., *Channa maculata*, or *Chirrhinus molitonella*.

(7) It shall be unlawful for any person to have in possession any live, protected wild bird or wild animal, except by written permission of a designated employee of the Department of Conservation and Natural Resources authorized by the Director of the Game and Fish Division to issue such permits.

## **Alaska**

### • ALASKA ADMIN. CODE tit. 5. §92.029 - PERMIT FOR POSSESSING LIVE GAME.

(a) Except as otherwise provided in this chapter, or in AS 16, no person may possess, import, release, export, or assist in importing, releasing, or exporting, live game, unless the person holds a possession permit issued by the department.

(b) The following species, not including a hybrid of a game animal and a species listed in this subsection, may be possessed, imported, exported, bought, sold, or traded without a permit from the department but may not be released into the wild:

Common Name Scientific Name

Chimpanzee *Pan* spp.

Dog *Canis familiaris*

Cat *Felis catus*

Sheep *Ovis aries*

Goat *Capra hircus*

Cattle *Bos taurus*

Oxen *Bos* spp.

Horse *Equus caballus*

Guinea pig *Cavia porcellus*

Reindeer (except feral reindeer) *Rangifer tarandus* Var.

Llama *Lama peruana*

Alpaca *Lama pacos*

One-humped camel *Camelus dromedarius*

Ass *Equus asinus* Var.

Mule *Equus asinus* x *caballus*

Swine *Sus scrofa* Var.

European ferret *Mustela putorius furo*

European rabbit *Oryctolagus cuniculus* Var.

White rat *Rattus norvegicus* Var. *albinus*

Mice: white, waltzing, singing, *Mus musculus* Var. *shaker*, *piebald*

Fat-tailed gerbil *Pachyuromys*

Gerbil *Gerbillus* spp.

Hamster (golden) *Mesocricetus auratus*

Chinchilla *Chinchilla laniger*  
Cavy *Cavia apera*  
Hedgehog, African Pygmy *Erinaceus albiventris*  
Chicken *Gallus gallus* Var.  
Pigeon *Columba livea* Var.  
Any Turkey species Subfamily *Meleagridinae*  
Any Pheasant, Junglefowl or *Coturnix* species Subfamily *Phasianinae*  
Any Guineafowl species Subfamily *Numidinae*  
Canary *Serinus canaria* Var.  
Parrot, parakeet, cockatiel, macaw, and other members of the Family *Psittacidae* not prohibited by federal or international law Family *Psittacidae*  
Toucan Family *Ramphastidae*  
Any New World Quail species (including Bobwhite) Subfamily *Odontophorinae*  
Mynah *Acridotheres* spp.  
Any Peafowl species *Pavo* spp.  
Any duck, goose, swan, or other migratory waterfowl which the U.S. Fish and Wildlife Service determines does not require a federal permit for private ownership  
Chukar partridge *Alectoris chukar*  
Button "quail" Family *Turnicidae* in the order *Gruiformes*  
Any nonvenomous reptile (crocodile, alligator, snake, turtle, or lizard) Class *Reptilia*  
Members of the bird families *Fringillidae*, *Turdidae*, *Zoster ipidae*, *Pycnonotidae*, *Timaliidae*, and *Ploceidae* of non-Holarctic origin.  
Members of the bird families *Columbidae* and *Trogonidae* of non-nearctic origin.

(c) The department may not issue a permit for the capture, possession, import, or export of any game animal, including a hybrid of a game animal and a species listed in (b) of this section, for use as a pet.

(d) Under this section, and in accordance with the definition of "game" in AS 16.05.940 (which includes feral domestic animals), a

(1) European ferret (*Mustela putorius furo*), swine (*Sus scrofa* Var.), or nonindigenous gallinaceous bird is feral if the animal is not under direct control of the owner, including being confined in a cage or other physical structure, or being restrained on a leash; the commissioner may capture, destroy, or dispose of any feral ferret, feral swine, or feral nonindigenous gallinaceous bird in an appropriate manner;

(2) musk oxen, bison, or reindeer that is lawfully owned, or an elk held under a valid game mammal farming license, that is not confined or is not under positive control is feral unless the animal is a free-ranging animal under a state or federal grazing lease; however,

(A) a person who can demonstrate ownership of the animal may pursue and capture the animal within 48 hours after the animal escapes from confinement, without needing to obtain a permit from the department;

(B) a person who can demonstrate ownership of the animal may pursue and capture the animal more than 48 hours after the animal escapes from confinement only if the person obtains a permit from the department;

(C) any free-ranging musk oxen, bison, reindeer, or elk for which ownership cannot be demonstrated is presumed to be game;

(D) for purposes of this paragraph, ownership of an animal can be demonstrated only by means of a clearly visible permanent brand, ear tag, or owner's mark on the body of the animal.

(e) Any of the above species of bird, mammal, or reptile that is endangered may not be held in private ownership without a permit from the United States Fish and Wildlife Service.

(f) Notwithstanding (b) of this section, the following species may be temporarily released for the purpose of hunting dog or falcon training, field trials, and tests:

(1) Pigeon (*Columbia livia* Var.);

(2) Pheasant, Jungle Fowl, or Coturnix (Subfamily Phasianinae);

(3) any Guineafowl species (Subfamily Numidinae);

(4) any New World Quail species (including *Colinus*) (Subfamily Odontophorinae);

(5) any duck, goose, swan, or other migratory waterfowl which the U.S. Fish and Wildlife Service has determined does not require a federal permit for private ownership;

(6) Chukar Partridge (*Alectoris chukar*).

(g) A person using live game listed in (f) of this section for the purpose of hunting dog or falcon training, field trials, or tests

(1) may release the game only on the day of use and shall make reasonable efforts to capture, kill, or recover the temporarily released live game;

(2) may take the live game in connection with hunting dog or falcon training, field trial, and test activities; and

(3) must legally acquire, hold, and dispose of the live game in accordance with all other applicable state statutes and regulations.

(h) Upon application, the board will add a species to the list in (b) of this section if there is clear and convincing evidence that the species

- (1) is not capable of surviving in the wild in Alaska;
- (2) is not capable of causing a genetic alteration of a species that is indigenous to Alaska;
- (3) is not capable of causing a significant reduction in the population of a species that is indigenous to Alaska;
- (4) is not capable of transmitting a disease to a species that is indigenous to Alaska; and
- (5) does not otherwise present a threat to the health or population of a species that is indigenous to Alaska.

(i) The board will remove a species from the list in (b) of this section, if there is a preponderance of evidence that the species

- (1) is capable of surviving in the wild in Alaska;
- (2) is capable of causing a genetic alteration of a species that is indigenous to Alaska;
- (3) is capable of causing a significant reduction in the population of a species that is indigenous to Alaska;
- (4) is capable of transmitting a disease to a species that is indigenous to Alaska; or
- (5) otherwise presents a threat to the health or population of a species that is indigenous to Alaska.

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• ALASKA STAT. §16.05.940 - Definitions.

In AS 16.05 - AS 16.40

- (1) "aquatic plant" means any species of plant, excluding the rushes, sedges and true grasses, growing in a marine aquatic or intertidal habitat;
- (2) "barter" means the exchange or trade of fish or game, or their parts, taken for subsistence uses
  - (A) for other fish or game or their parts; or
  - (B) for other food or for nonedible items other than money if the exchange is of a limited and noncommercial nature;
- (3) "a board" means either the Board of Fisheries or the Board of Game;

(4) "commercial fisherman" means an individual who fishes commercially for, takes, or attempts to take fish, shellfish, or other fishery resources of the state by any means, and includes every individual aboard a boat operated for fishing purposes who participates directly or indirectly in the taking of these raw fishery products, whether participation is on shares or as an employee or otherwise; however, this definition does not apply to anyone aboard a licensed vessel as a visitor or guest who does not directly or indirectly participate in the taking; "commercial fisherman" includes the crews of tenders or other floating craft used in transporting fish, but does not include processing workers on floating fish processing vessels who do not operate fishing gear or engage in activities related to navigation or operation of the vessel; in this paragraph "operate fishing gear" means to deploy or remove gear from state water, remove fish from gear during an open fishing season or period, or possess a gill net containing fish during an open fishing period;

(5) "commercial fishing" means the taking, fishing for, or possession of fish, shellfish, or other fishery resources with the intent of disposing of them for profit, or by sale, barter, trade, or in commercial channels; the failure to have a valid subsistence permit in possession, if required by statute or regulation, is considered prima facie evidence of commercial fishing if commercial fishing gear as specified by regulation is involved in the taking, fishing for, or possession of fish, shellfish, or other fish resources;

(6) "commissioner" means the commissioner of fish and game unless specifically provided otherwise;

(7) "customary and traditional" means the noncommercial, long-term, and consistent taking of, use of, and reliance upon fish or game in a specific area and the use patterns of that fish or game that have been established over a reasonable period of time taking into consideration the availability of the fish or game;

(8) "customary trade" means the limited noncommercial exchange, for minimal amounts of cash, as restricted by the appropriate board, of fish or game resources; the terms of this paragraph do not restrict money sales of furs and furbearers.

(9) "department" means the Department of Fish and Game unless specifically provided otherwise;

(10) "domestic mammals" include musk oxen, bison, and reindeer, if they are lawfully owned;

(11) "domicile" means the true and permanent home of a person from which the person has no present intention of moving and to which the person intends to return whenever the person is away; domicile may be proved by presenting evidence acceptable to the boards of fisheries and game;

(12) "fish" means any species of aquatic finfish, invertebrate, or amphibian, in any stage of its life cycle, found in or introduced into the state, and includes any part of such aquatic finfish, invertebrate, or amphibian;

(13) "fish derby" means a contest in which prizes are awarded for catching fish;

(14) "fishery" means a specific administrative area in which a specific fishery resource is taken with a specific type of gear; however, the Board of Fisheries may designate a fishery to include more than one specific administrative area, type of gear, or fishery resource; in this paragraph

(A) "gear" means the specific apparatus used in the harvest of a fishery resource; and

(B) "type of gear" means an identifiable classification of gear and may include

(i) classifications for which separate regulations are adopted by the Board of Fisheries or for which separate gear licenses were required by former AS 16.05.550 - 16.05.630; and

(ii) distinct subclassifications of gear such as "power" troll gear and "hand" troll gear or sport gear and guided sport gear;

(15) "fish or game farming" means the business of propagating, breeding, raising, or producing fish or game in captivity for the purpose of marketing the fish or game or their products, and "captivity" means having the fish or game under positive control, as in a pen, pond, or an area of land or water that is completely enclosed by a generally escape-proof barrier; in this paragraph, "fish" does not include shellfish, as defined in AS 16.40.199;

(16) "fish stock" means a species, subspecies, geographic grouping or other category of fish manageable as a unit;

(17) "fur dealing" means engaging in the business of buying, selling, or trading in animal skins, but does not include the sale of animal skins by a trapper or hunter who has legally taken the animal, or the purchase of animal skins by a person, other than a fur dealer, for the person's own use;

(18) "game" means any species of bird, reptile, and mammal, including a feral domestic animal, found or introduced in the state, except domestic birds and mammals; and game may be classified by regulation as big game, small game, fur bearers or other categories considered essential for carrying out the intention and purposes of AS 16.05 - AS 16.40;

(19) "game population" means a group of game animals of a single species or subgroup manageable as a unit;

(20) "hunting" means the taking of game under AS 16.05 - AS 16.40 and the regulations adopted under those chapters;

(21) "nonresident" means a person who is not a resident of the state;

(22) "nonresident alien" means a person who is not a citizen of the United States and whose permanent place of abode is not in the United States;

(23) "operator" means the individual by law made responsible for the operation of the vessel;

(24) "personal use fishing" means the taking, fishing for, or possession of finfish, shellfish, or other fishery resources, by Alaska residents for personal use and not for sale or barter, with gill or dip net, seine, fish wheel, long line, or other means defined by the Board of Fisheries;

(25) "person with physical disabilities" means a person who presents to the department either written proof that the person receives at least 70 percent disability compensation from a government agency for a physical disability or an affidavit signed by a physician licensed to practice medicine in the state stating that the person is at least 70 percent physically disabled;

(26) "resident" means

(A) a person who for the 12 consecutive months immediately preceding the time when the assertion of residence is made has maintained the person's domicile in the state and who is neither claiming residency in another state, territory, or country nor obtaining benefits under a claim of residency in another state, territory, or country;

(B) a partnership, association, joint stock company, trust, or corporation that has its main office or headquarters in the state; a natural person who does not otherwise qualify as a resident under this paragraph may not qualify as a resident by virtue of an interest in a partnership, association, joint stock company, trust, or corporation;

(C) a member of the military service, or United States Coast Guard, who has been stationed in the state for the 12 consecutive months immediately preceding the time when the assertion of residence is made;

(D) a person who is the dependent of a resident member of the military service, or the United States Coast Guard, and who has lived in the state for the 12 consecutive months immediately preceding the time when the assertion of residence is made; or

(E) an alien who for the 12 consecutive months immediately preceding the time when the assertion of residence is made has maintained the person's domicile in the state and who is neither claiming residency in another state, territory, or country nor obtaining benefits under a claim of residency in another state, territory, or country;



(27) "rural area" means a community or area of the state in which the noncommercial, customary, and traditional use of fish or game for personal or family consumption is a principal characteristic of the economy of the community or area;

(28) "seizure" means the actual or constructive taking or possession of real or personal property subject to seizure under AS 16.05 - AS 16.40 by an enforcement or investigative officer charged with enforcement of the fish and game laws of the state;

(29) "sport fishing" means the taking of or attempting to take for personal use, and not for sale or barter, any fresh water, marine, or anadromous fish by hook and line held in the hand, or by hook and line with the line attached to a pole or rod which is held in the hand or closely attended, or by other means defined by the Board of Fisheries;

(30) "subsistence fishing" means the taking of, fishing for, or possession of fish, shellfish, or other fisheries resources by a resident domiciled in a rural area of the state for subsistence uses with gill net, seine, fish wheel, long line, or other means defined by the Board of Fisheries;

(31) "subsistence hunting" means the taking of, hunting for, or possession of game by a resident domiciled in a rural area of the state for subsistence uses by means defined by the Board of Game;

(32) "subsistence uses" means the noncommercial, customary and traditional uses of wild, renewable resources by a resident domiciled in a rural area of the state for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter, or sharing for personal or family consumption; in this paragraph, "family" means persons related by blood, marriage, or adoption, and a person living in the household on a permanent basis;

(33) "take" means taking, pursuing, hunting, fishing, trapping, or in any manner disturbing, capturing, or killing or attempting to take, pursue, hunt, fish, trap, or in any manner capture or kill fish or game;

(34) "taxidermy" means tanning, mounting, processing, or other treatment or preparation of fish or game, or any part of fish or game, as a trophy, for monetary gain, including the receiving of the fish or game or parts of fish or game for such purposes;

(35) "trapping" means the taking of mammals declared by regulation to be fur bearers;

(36) "vessel" means a floating craft powered, towed, rowed, or otherwise propelled, which is used for delivering, landing, or taking fish within the jurisdiction of the state, but does not include aircraft.

## Arizona

- ARIZ. COMP.ADMIN R. & REGS. R12-4-406 - Restricted Live Wildlife

A. Mammals listed below are "restricted live wildlife" as defined in R12-4-401. The taxonomic classification from Volumes I and II of Walker's Mammals of the World, Fifth Edition, 1991, and not including any later edition, shall be the authority in the following designations; a copy is on file with the Office of the Secretary of State and is available for inspection at any Department office.

1. All species of the genus *Didelphis*. Common name: American opossums.
2. All species of the order Insectivora. Common names: Insectivores or shrews and moles.
3. All species of the order Chiroptera. Common name: bats.
4. All species of the family Pongidae of the order Primates. Common names: orangutans, chimpanzees, gorillas.
5. All species of the order Edentata. Common names: edentates; or sloths, anteaters, armadillos.
6. All species of the order Lagomorpha. Common names: pikas, rabbits, hares. Genus *Oryctolagus*, containing domestic rabbits, is not wildlife.
7. All species of the following families of the order Rodentia. Common name: rodents.
  - a. The family Sciuridae. Common names: squirrels, chipmunks, marmots, woodchucks and prairie dogs.
  - b. The family Geomyidae. Common name: pocket gophers.
  - c. The family Castoridae. Common name: beavers.
  - d. The family Erethizontidae. Common name: New World porcupines.
  - e. The family Capromyidae. Common names: hutias, coypus or nutrias.
8. All species of the order Carnivora. Common name: carnivores. *Canis familiaris*, domestic dogs; *Felis catus*, domestic cats; and *Mustela putorius furo*, domestic ferrets, are not wildlife.
9. All species of the following families of the order Artiodactyla. Common name: even-toed ungulates.

- a. The family Tayassuidae. Common name: peccaries.
- b. The following genera of family Cervidae:
  - i. The genus Alces. Common name: moose.
  - ii. The genus Odocoileus. Common name: white-tailed and mule deer.
  - iii. The genus Cervus. Common name: red deer and wapiti, except that the species *Cervus nippon*, Nippon deer, is not restricted.
- c. The family Antilocapridae. Common name: pronghorn.
- d. The family Bovidae. Common names: cattle; buffalo, bison, oxen, duikers, antelopes, gazelles, goats, sheep; except that the following are not restricted:
  - i. The genus Bubalus. Common name: water buffalo.
  - ii. The genus Bison. Common name: bison; American bison or buffalo.
  - iii. *Capra hircus*, domestic goats; *Ovis aries*, domestic sheep; and *Bos taurus*, domestic cattle, are not wildlife.

B. Birds listed below are "restricted live wildlife" as defined in R12-4-401.

- 1. The following species within the family Phasianidae. Common names: partridges, grouse, turkeys, quail, and pheasants.
  - a. *Alectoris chukar*. Common name: chukar.
  - b. *Callipepla californica*. Common name: California, or valley quail.
  - c. *Callipepla gambelii*. Common name: Gambel's quail.
  - d. *Callipepla squamata*. Common name: scaled quail.
  - e. *Colinus virginianus*. Common name: northern bobwhite. Restricted only in Units 34A, 36A, 36B, and 36C as prescribed in R12-4-108.
  - f. *Cyrtonyx montezumae*. Common name: Montezuma or Mearn's quail.
  - g. *Dendragapus obscurus*. Common name: blue grouse.
  - h. *Phasianus colchicus*. Common names: ringneck and whitewing pheasants.
- 2. The species *Rhynchopsitta pachyrhyncha*. Common name: thick-billed parrot.

C. Reptiles listed below are "restricted live wildlife" as defined in R12-4-401.

1. All species of the order Crocodylia. Common names: gavials, caimans, crocodiles, alligators.
2. The following species of the order Testudines. Common names: turtles, tortoises.
  - a. All species of the family Chelydridae. Common name: snapping turtles.
  - b. All species of the genera Gopherus and Xerobates of the family Testudinidae. Common name: gopher tortoises, including the desert tortoise.
3. All species of the following families or genera of the order Squamata.
  - a. The family Helodermatidae. Common names: Gila monster, Mexican beaded lizard.
  - b. The family Elapidae. Common names: cobras, mambas, coral snakes, kraits, Australian elapids.
  - c. The family Hydrophiidae. Common name: sea snakes.
  - d. The family Viperidae. Common names: true vipers and pit vipers, including rattlesnakes.
  - e. The family Atractaspidae. Common name: burrowing asps.
  - f. The following species and genera of the family Colubridae:
    - i. Dispholidus typus. Common name: boomslang.
    - ii. Thelotornis kirtlandii. Common name: bird snake or twig snake.
    - iii. Rhabdophis. Common names: keelbacks.

D. Amphibians listed below are "restricted live wildlife" as defined in R12-4-401.

1. The following species within the order Anura. Common names: frogs and toads.
  - a. All species of the genus Xenopus. Common name: clawed frogs.
  - b. The species Bufo horribilis, Bufo marinus, Bufo paracnemis. Common names: giant or marine toads.

E. Fish listed below are "restricted live wildlife" as defined in R12-4-401.

1. American grayling, the species *Thymallus arctius*.
2. Bass, all species of the family Serranidae.
3. Bighead carp, the species *Aristichthys nobilis*.
4. Bony tongue, the species *Arapaima gigas*.
5. Bowfin, the species *Amia calva*.
6. Catfish, all species of the family Ictaluridae.
7. Crucian carp, the species *Carassius carassius*
8. Electric catfish, the species *Malapterurus electricus*.
9. Electric eel, the species *Electrophorus electricus*.
10. European whitefish or ide, the species *Leuciscus idus* and *Idus idus*.
11. Freshwater drum, the species *Aplodinotus grunniens*.
12. Freshwater stingray, all species of the family Potamotrygonidae.
13. Gars, all species of the family Lepisosteidae.
14. Goldeye, all species of the family Hiodontidae.
15. Herring, all species of the family Clupeidae.
16. Indian carp, all of the species *Catla catla*, *Cirrhina mrigala*, and *Labeo rohita*.
17. Lampreys, all species of the family Petromyzontidae.
18. Mooneye, all species of the family Hiodontidae.
19. Nile perch, all species of the genus *Lates*.
20. Pike, all species of the family Esocidae.
21. Pike topminnow, the species *Belonesox belizanus*.
22. Piranha, all species of the genera *Serrasalmus*, *Serrasalmo*, *Phygoctrus*, *Teddyella*, *Rooseveltiella*, and *Pygoprictis*.

23. Shad, all species of the family Clupeidae except threadfin shad, species *Dorosoma petenense*.
24. Sharks, all species, both marine and freshwater, of the orders Hexanchiformes, Heterodontiformes, Squaliformes, Pristiophoriformes, Squatiniformes, Orectolobiformes, Lamniformes, and Carcharhiniformes.
25. Silver carp, the species *Hypophthalmichthys molitrix*.
26. Snakehead, all species of the family Ophicephalidae.
27. South American parasitic catfish, all species of the family Trichomycteridae and Cetopsidae.
28. Sunfish, all species of the family Centrarchidae.
29. Tetras, all species of the genus *Astyanax*.
30. Tiger fish, the species *Hoplias malabaricus*.
31. Trout, all species of the family Salmonidae.
32. White amur, the species *Ctenopharyngodon idellus*.
33. Walking catfish, all species of the family Clariidae.
34. Walleye, the species *Stizostedion vitreum*.
35. White perch, the species *Morone americanus*.
36. Yellow perch, the species *Perca flavescens*.
37. Rudd, the species *Scardinius erythrophthalmus*.

F. Crustaceans listed below are "restricted live wildlife" as defined in R12-4-401.

1. Asiatic mitten crab, the species *Eriocheir sinensis*.
2. Australian crayfish, all species of the family Parastacidae.

G. Mollusks listed below are "restricted live wildlife" as defined in R12-4-401. Zebra mussel, the species *Dreissena polymorpha*.

H. This rule is effective January 1, 1995.

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• ARIZ. COMP.ADMIN R. & REGS. R12-4-409 - General Provisions and Penalties for Special Licenses

A. The Department shall issue special licenses as defined in R12-4-401, when application is made and criteria are met as prescribed in the rule governing the specific special license. No special license for any wildlife shall be valid for any wildlife protected by federal law or regulation unless supported by federally issued documentation rendering the licensed activity lawful.

B. All special licenses expire on December 31 for the year issued unless otherwise specified in the governing rule. If application for a new special license is not made by the expiration date, live wildlife possessed pursuant to the expired license shall be considered unlawfully possessed and is subject to seizure by the Department. If application for a new special license with no change from a currently existing special license is made on or prior to the expiration date, the existing license shall remain valid while application is pending with the Department.

C. Knowingly providing false information upon application for any special license shall be grounds for denying the special license, and any special license so obtained is void and of no effect from the date of issuance thereof.

D. Denials shall be issued in writing and shall state the reason for denial. Any person whose application has been denied may appeal to the Commission as provided in R12-4-608.

E. Special license holders shall keep records and submit reports as required by the rule governing their special license. Such records shall be exhibited to any Department game ranger upon reasonable request. Failure to keep records or submit reports as required shall be grounds for rejecting an application or for revocation of a special license.

F. Facilities of special license holders are subject to reasonable inspection by a game ranger for compliance with any requirements imposed by this Article. A routine inspection shall not be considered reasonable when the game ranger has inspected another facility holding wildlife of the same class within the previous 72 hours when the game ranger had contact with the wildlife or there was reason to believe disease may have been present.

G. When a disease as determined by a person with relevant expertise or other condition constituting an emergency exists that poses an immediate threat to the welfare of wildlife, including the wildlife held pursuant to special license, or to the public, the Department may immediately order a cessation of operation under special license and, if necessary, humane disposition or quarantine of any contaminated or threatening wildlife. Disease testing must be performed as directed by the Department or wildlife quarantined must be destroyed. Any disease giving rise to an emergency condition pursuant to this subsection

shall be diagnosed by a person or persons professionally certified to make such diagnosis. Once operation has ceased and an emergency no longer exists, subsection (H) shall apply.

H. When a condition exists, including disease or any violation of this Article, including any violation of Section R12-4-428, which poses a threat to the welfare of wildlife, including the wildlife held, or to the public, but which threat does not constitute an emergency, the Department shall provide the licensee a written notice of the condition, by certified mail or personal service, which notice shall specify a reasonable period of time for the licensee to cure the noticed condition. Failure of the licensee to cure the noticed condition within the time specified by the Department shall constitute a violation pursuant to subsection (I) of this rule. When a licensee receives three notices pursuant to this subsection for the same condition within a two-year period, the third notice shall be treated as a failure to cure.

I. Violation of any provision of this rule, or of A.R.S. § 13-2908, Criminal nuisance; or conviction of any criminal offense involving cruelty to animals, including A.R.S. § 13-2910; or of the rule governing a specific special license; or refusal to permit reasonable inspection of facilities, wildlife, or required records may result in any or all of the following actions by the Department:

1. Filing of criminal charges;
2. Suspension of authority to hold wildlife pursuant to special license for the remainder of validity of the license;
3. Seizure of any wildlife held pursuant to the special license, and its humane disposition, except that such wildlife shall not be killed pending appeal by the licensee;
4. Denial of subsequent application for a special license for a period not to exceed five years.

J. This rule is effective January 1, 1995.

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• ARIZ. COMP.ADMIN R. & REGS. R12-4-417 - Wildlife Holding License

A. The Department shall issue wildlife holding licenses to qualified individuals for the purposes provided in this Section. The wildlife holding license authorizes the person holding the license to engage in specific activities with the specific live wildlife listed on the license. The activities shall be listed on the license to be authorized and may include but not be limited to any of the following: possession, transportation, importation, educational display, exhibit, purchase, propagation, export, give away, or kill. The Department's evaluation of the applicant's proposal and qualifications and the purpose of



the license will determine if the Department will issue or deny the permit and the activities the license authorizes.

B. The Department shall not issue a license to any applicant whose privilege to take or possess wildlife is under current suspension or revocation by the government of any state or the United States.

C. The Department shall issue a wildlife holding license only for the primary purposes following, when the purpose is in the best interest of the wildlife or the species, will not adversely impact other affected wildlife in Arizona, and may be served without posing a threat to wildlife or public safety:

1. Wildlife management: gathering information valuable to maintenance of wild populations;
2. Education;
3. The advancement of science, or promotion of the public health or welfare;
4. When humane treatment by a person is necessary to safeguard and protect the interests of an animal unable to meet its own needs in the wild, when it has been abandoned, or permanently disabled, or is no longer useful for any previously-existing licensed purpose.

D. The Department shall issue a wildlife holding license for the sole purpose of exhibiting live wildlife already possessed under the authority of R12-4-404 or already possessed under R12-4-417, when the wildlife may be exhibited without posing a threat to wildlife or the public and will not adversely impact other affected wildlife in Arizona.

E. Applicants for a wildlife holding license shall obtain from and submit to the Department a form providing the following information:

1. The applicant's name, mailing address, and telephone number.
2. If applicable, the name, address, and telephone number of the educational, scientific, or other institutional affiliation of the applicant.
3. The species, or higher taxa, if appropriate, of wildlife proposed for an allowable activity.
4. The applicant's signature.

F. Applicants for a wildlife holding license shall also submit the following with their application form:

1. If the wildlife is currently in possession, submit evidence of lawful possession as defined in R12-4-401. If the wildlife is not yet in possession, submit proof of application

for evidence of lawful possession. If the application is for exhibit of wildlife possessed under the authority of R12-4-404, provide an affidavit that the wildlife was lawfully taken under authority of a hunting or fishing license in accordance with Commission order or is the progeny of wildlife lawfully taken.

2. The street address or legal description of the location where the wildlife is to be held and a detailed diagram of the facilities where the wildlife is to be held.

3. A detailed description of the procedures that will be used to meet the requirements of R12-4-428.

4. A statement of the applicant's experience in handling and providing care for the wildlife to be held or of other experience that may be relevant to handling or providing care for wildlife.

5. The dates proposed to begin and end holding the wildlife.

6. A statement of the planned disposition and method of disposition of the wildlife at the conclusion of the proposed activities.

7. If the purpose of the license is for wildlife management, education, the advancement of science, or the promotion of the public health or welfare, submit a detailed description of the proposed management, educational, or scientific activity.

8. If the purpose of the license is for humane treatment, submit a written statement explaining why the wildlife is unable to meet its own needs in the wild, whether it has been abandoned, or permanently disabled, or is no longer useful for any previously existing licensed purpose. The statement shall also specify where the wildlife is currently possessed and who possesses it.

9. If the purpose of the license is to exhibit live wildlife already possessed under the authority of R12-4-404 or already possessed under R12-4-417, submit a detailed description of the proposed exhibit activity.

G. The Department may require that wildlife used for lawful activities under the authority of the wildlife holding license be permanently marked for identification purposes, when the Department determines this is necessary for the best interest of the public and the wildlife. If this is a requirement, it will be specified on the license.

H. The licensee shall ensure that a copy of the license accompanies any shipment of wildlife made under the authority of the license.

I. The licensee shall annually obtain from and submit to the Department a report form providing the following information within 30 days after the license expires:

1. The licensee's name, address, and phone number;

2. A listing of each animal held during the year, by species, including the source and date of acquisition and the place and date of disposition for each animal.

J. The licensee shall comply with R12-4-409 and R12-4-428.

K. Wildlife holding licenses expire on December 31 of the year of issuance, or, if the licensee is a representative of an institution, organization, or agency, upon termination of affiliation with that entity, whichever comes first.

L. This rule is effective January 1, 2000.

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• ARIZ. COMP.ADMIN R. & REGS. R12-4-425 - Restricted live wildlife lawfully possessed without license or permit prior to the effective date of Article 4

A. Any person lawfully possessing restricted live wildlife without license or permit from the Department prior to the effective date of this rule may continue to possess this wildlife and to use this wildlife for any purpose that was lawful prior to the effective date of this rule, and no special license shall be required provided:

1. The person notifies the Department's Phoenix office in writing within 30 calendar days of the effective date of this rule of the restricted live wildlife held, including the number of individuals of each species and the purpose for which it is used; or

2. The person maintains documentation of the restricted live wildlife held, including the number of individuals of each species and the purpose for which it is used. Documentation shall be notarized and dated within 30 calendar days of the effective date of this rule in order to be valid.

B. Written notification or documentation required in subsection (A) shall contain the name and address of the person possessing the restricted live wildlife and the location where the wildlife is held. The Department shall acknowledge receipt of notification in writing. Those persons maintaining their own documentation shall make it available for inspection upon request of a game ranger.

C. Wildlife possessed pursuant to this rule may be disposed of only by the following methods:

1. Exportation;

2. Within Arizona, to a holder of a special license, when that special license authorizes possession of the species involved;

3. Euthanization;

4. As otherwise directed by the Department.

D. This rule does not apply to desert tortoises, which are exempted pursuant to R12-4-407.

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• ARIZ. COMP.ADMIN R. & REGS. R12-4-426 -

Possession of Primates

A. For the purposes of this Section, the following definitions apply:

1. "Primate" means a non-human primate not listed in subsection R12-4-406(A)(4).
2. "Infant" means an animal weighing less than 50% of the weight of an adult as identified in "The Pictorial Guide to Living Primates", Pagonias Press 1996, and not including any later edition. This material is incorporated by reference. A copy of the incorporated material is on file with the Secretary of State and available from all Arizona Game and Fish Department regional offices.
3. "Zoonotic" means a disease that can be transmitted to humans by vertebrate animals.

B. A person shall not buy, sell, barter, gift, or import an infant primate in Arizona.

C. A person may import a non-infant primate into Arizona only if:

1. The primate has been tested for and reported to be disease free from any zoonotic disease that poses a serious health risk, including tuberculosis, Simian Herpes B virus, and Simian Immunodeficiency Virus, as determined by the Arizona Game and Fish Department to be appropriate to the species being imported; and
2. Test dates and test result dates are within 30 days prior to the date of importation; and
3. Tests were done by and test results were determined by qualified persons, as determined by the Arizona Game and Fish Department.

D. A primate shall be contained within the confines of the legal owner's private property, except as follows:

1. When transported in a cage, crate, or carrier to or from a licensed veterinarian; or

2. When transported in a cage, crate, or carrier into or out of Arizona for lawful purposes, or within Arizona to complete a lawful sale.

E. A primate that bites, scratches, or otherwise exposes a human to pathogenic organisms as determined by the Arizona Game and Fish Department shall be examined and laboratory tested for the presence of pathogens as follows:

1. The Arizona Game and Fish Department Director or the Director's designee shall prescribe examinations and laboratory testing for the presence of pathogens.

2. An Arizona licensed veterinarian shall perform examinations and laboratory test specimen collection and submission.

3. An Arizona licensed veterinarian examining or laboratory testing a primate shall immediately report the results of an examination or laboratory test, by phone and in writing, to the Arizona Game and Fish Department Director or the Director's designee.

4. The legal owner of the primate shall pay all costs associated with the examination, laboratory testing, and maintenance of the primate.

F. A primate that tests positive for a zoonotic disease that poses a serious health risk to humans, as determined by the Arizona Game and Fish Department, shall be maintained in captivity as directed by the Arizona Game and Fish Department Director or the Director's designee, or disposed of as agreed to by the primate owner and the Department Director or the Director's designee.

## **Arkansas**

### **• GFC 18.17 - WILDLIFE PET RESTRICTIONS.**

02-98 It shall be unlawful to take or attempt to take by any method other than by hands and possess alive any wildlife species other than six (6) each of the animals specified herein, and the sale, purchase, barter, or transporting of such animals from the state or the progeny thereof is prohibited.

(A) Bobcat, coyote, deer, gray fox, red fox, opossum, quail, rabbit, raccoon and squirrel.

(B) Any native non-game wildlife excluding birds, bats, alligator snapping turtles, ornate box turtles, hellbenders, troglodytic (cave-dwelling) species or those animals defined as endangered species.

EXCEPTION: Wildlife exchanged with other states by the Commission.

PENALTY: \$100.00 to \$1,000.00.

## California

### • CAL. CODE REGS. Tit. 14 §671 -- Importation, Transportation and Possession of Live Restricted Animals

(a) It shall be unlawful to import, transport, or possess alive animals restricted in subsection (c) below except under permit issued by the Department of Fish and Game. Permits may be issued by the department as specified herein and for purposes designated in Section 671.1 subject to the conditions and restrictions designated by the department. Except for mammals listed in Fish and Game Code Section 3950 Fish & Game or live aquatic animals requiring a permit pursuant to Fish and Game Code Section 2271 Fish & Game, no permit is required by this section for any animal being imported, transported, or possessed pursuant to any other permit issued by the department. Cities and counties may also prohibit possession or require a permit for these and other species not requiring a state permit.

(b) The commission has determined the below listed animals are not normally domesticated in this state. Mammals listed to prevent the depletion of wild populations and to provide for animal welfare are termed "welfare animals", and are designated by the letter "W". Those species listed because they pose a threat to native wildlife, the agriculture interests of the state or to public health or safety are termed "detrimental animals" and are designated by the letter "D". The department shall include the list of welfare and detrimental wild animals as part of DFG MANUAL No. 671 (2/25/92) IMPORTATION, TRANSPORTATION AND POSSESSION OF RESTRICTED SPECIES, to be made available to all permittees and other interested individuals.

(c) Restricted species include:

(1) Class Aves - Birds

(A) Family Alaudidae - Larks

*Alauda arvensis* (Skylark) (D).

(B) Family Cuculidae - Cuckoos

All species (D).

(C) Family Corvidae - Crows, Ravens, Rooks, Jackdaws

All species (D).

(D) Family Turdidae - Thrushes, Blackbirds, Fieldfare

1. *Turdus merula* (European blackbird) (D).

2. *Turdus viscivorus* (Missel thrush) (D).

3. *Turdus pilaris* (Fieldfare) (D).

4. *Turdus musicus* (Song thrush) (D).

(E) Family Sturnidae -- Starlings, Mynahs All species (D), except *Sturnus vulgaris* (Starling), *Gracula religiosa* or *Eulabes religiosa* (Hill mynahs), and *Leucopsar rothschildi* (Rothchild's mynah) are not restricted.

(F) Family Ploceidae - Sparrows, Weavers, Queleas

1. Genus *Passer* (Sparrow)

All species (D), except *Passer domesticus* (English house sparrow) is not restricted.

2. *Foudia madagascariensis* (Madagascar weaver) (D).

3. *Ploceus baya* (Baya weaver) (D).

4. Genus *Quelea* (Queleas) - All species (D).

(G) Family Estrildidae - Waxbills, Munias, Ricebirds

1. *Padda oryzivora* (Java sparrow) (D).

(H) Family Emberizidae - Yellowhammer

*Emberiza citrinella* (Yellowhammer) (D).

(I) Order Falconiformes - Falcons, Eagles, Hawks, Vultures

1. Vultures All species (D)

2. Falcons, Eagles, Hawks (D)

(J) Order Strigiformes - Owls All species (D)

(K) Family Pycnonotidae --

Bulbuls or Fruit Thrushes *Pycnonotus jocosus*

(Red-whiskered bulbul) (D).

(L) Family Zosteropidae - Whiteeyes Genus *Zosterops* (Whiteeyes) --

All species (D).

(M) Family Psittacidae --

Parrots, Parakeets *Myiopsitta monachus* (Monk or Quaker parakeet) (D).

(2) Class Mammalia - Mammals

(A) Order Primates - Monkeys, Apes All species (W), except Family Hominidae - not restricted.

(B) Order Edentata - Sloths, Anteaters, Armadillos, etc. All species:

1. Family Dasypodidae - Armadillos - All Species (D).

2. Family Bradypodidae - Sloths - (W).

3. Family Myrmecophagidae - Anteaters - (W).

(C) Order Marsupialia - Marsupials or Pouched Animals All species (W).

(D) Order Insectivora - Shrews, Moles, Hedgehogs, etc. All species (D).

(E) Order Dermoptera - Gliding Lemurs All species (D).

(F) Order Chiroptera - Bats All species (D).

(G) Order Monotremata - Spiny Anteaters, Platypuses All Species (W).

H) Order Pholidota - Pangolins or Scaly Anteaters All species (W).

(I) Order Lagomorpha - Pikas, Rabbits, and Hares All species, (D), except domesticated races of rabbits and hares of the Family Leporidae - not restricted.

(J) Order Rodentia - Hamsters, Field Mice, Voles, Muskrats, Gerbils, Squirrels, Chipmunks, Woodchucks, and Prairie Dogs

1. All species (D), except:

a. *Ondatra zibethica* (Muskrats) - Not restricted under conditions set forth in Fish and Game Code Section 2250;

b. Domesticated races of golden hamsters of the species *Mesocricetus auratus* and domesticated races of dwarf hamsters of the Genus *Phodopus* not restricted;



c. Domesticated races of rats or mice (white or albino; trained, dancing or spinning, laboratory-reared) not restricted;

d. Domesticated races of guinea pigs of the species *Cavia porcellus* not restricted; and e. Domesticated races of chinchillas of the species *Chinchilla laniger* not restricted.

(K) Order Carnivora - Raccoons, Ringtailed Cats, Kinkajous, Coatis, Cacomistles, Weasels, Ferrets, Skunks, Polecats, stoats, Mongoose, Civets, Wolves, Foxes, Coyotes, Lions, Tigers, Ocelots, Bobcats, Servals, Leopards, Jaguars, Cheetahs, Bears, etc.

1. Family Felidae - All species (W) except:

a. *Acinonyx jubatus* (cheetahs) - (D).

b. Domestic cats and hybrids of domestic cats are not restricted.

2. Family Canidae - All species (W).

a. Wolf hybrids *Canis familiaris* (domestic dog) x *Canis lupus* (wolf).

i. Any F1 (first) generation wolf hybrid whelped on or before February 4, 1988 may be possessed under permit from the department.

ii. No state permit is required to possess the progeny of F1 generation wolf hybrids, but cities and counties may prohibit possession or require a permit.

b. Domesticated dogs are not restricted.

3. Family Viverridae - All species (D).

4. Family Procyonidae - All species - (D), except:

a. *Ailurus fulgens* (Lesser Panda) - (W).

b. *Ailuropoda melanoleuca* (Giant panda) - (W).

c. *Bassariscus astutus* (Ringtail or Ringtailed cat) - (W).

d. *Jentinkia sumichrasti* (Mexican and Central American Cacomistle - (W).

5. Family Mustelidae - All species (D), except:.

a. *Ambloynx cinerea* (Oriental small-clawed otter) - (W).

b. *Aonyx capensis* (African clawless otter) - (W).

c. *Pteronura brasiliensis* (Giant otter) - (W).

d. All species of Genus *Lutra* (River otters) - (W).

6. All others - (W).

(L) Order Tubulidentata - Aardvarks All species - (W).

(M) Order Proboscidae - Elephants All species - (W).

(N) Order Hyracoidea - Hyraxes All species - (W).

(O) Order Sirenia - Dugongs, Manatees All species - (W).

(P) Order Perissodactyla - Horses, Zebras, Tapirs, Rhinoceroses, etc. All species (W), except Family Equidae is not restricted.

(Q) Order Artiodactyl - Swine, Peccaries, Camels, Deer, Elk, Moose, Antelopes, Cattle, Goats, Sheep, etc. All species (D) except:

1. *Bos taurus* and *Bos indicus* (Domestic cattle); *Bos grunniens* (Yak); *Bubalus bulalis* (Asian water buffalo); *Ovis aries* (Domestic sheep); *Capra hircus* (Domestic goat); *Sus scrofa domestica* (Domestic swine); *Llama glama* (Llama); *Llama pacos* (Alpaca); *Llama guanicoe* (Guanaco); Hybrids of llama, alpaca and guanacos; *Camelus bactrianus* and *Camelus dromedarius* (Camels); and *Bison bison* (American bison), are not restricted.

2. Permits may be issued for species of Elk (Genus *Cervus*) which are already maintained within California; and

3. Permits may be issued pursuant to Section 676, Title 14, CCR, for importing, breeding, slaughter and sale of the meat and other parts of fallow deer (*Dama dama*) for commercial purposes.

(3) Class Amphibia - Frogs, Toads, Salamanders

(A) Family Bufonidae - Toads *Bufo marinus*, *Bufo paracnemis*, *Bufo horribilis* (Giant toad or marine toad group) and all other large toads from Mexico and Central and South America (D).

(B) Family Pipidae - Tongueless Toads All species of the Genus *Xenopus* (D).

(4) Class Agnatha - Jawless Fishes

(A) Family Petromyzontidae - Lampreys All nonnative species (D).

(5) Class Osteichthyes - Bony Fishes

(A) Family Percichthyidae - Temperate Basses

1. The species *Morone americana* (White perch) (D).

2. The species *Morone chrysops* (White bass) (D).

(B) Family Clupeidae - Herrings *Dorosoma cepedianum* (Gizzard shad) (D).

(C) Family Sciaenidae - Drums *Aplodinotus grunniens* (freshwater drum) (D).

(D) Family Characidae - Characins

1. *Astyanax fasciatus* (Banded tetra) (D).

2. All species of the genera *Serrasalmus*, *Serrasalmo*, *Pygocentrus*, *Taddeyella*, *Rooseveltiella*, and *Pygopristis* (Piranhas) (D).

3. *Hoplias malabaricus* (Tiger fish) (D).

(E) Family Salmonidae - Trouts *Salmo salar* (Atlantic salmon) - Restricted in the Smith River watershed (D).

(F) Family Lepisosteidae - Gars All species (D).

(G) Family Amiidae - Bowfins All species (D).

(H) Family Poeciliidae - Livebearers *Belonesox belizanus* (Pike killifish) (D).

(I) Family Channidae - Snakeheads All species (D).

(J) Family Cyprinidae - Carps and Minnows

1. *Leuciscus idus* (ide) (D).

2. *Ctenopharyngodon idellus* (Grass carp) (D), except that permits may be issued to a person, organization or agency for possession of triploid grass carp, under conditions set forth in Section 238.6.

3. *Hypophthalmichthys molitrix* (Silver carp) (D).

4. *Aristichthys nobilis* (Bighead carp) (D).

(K) Family Trichomycteridae (Pygidiidae) - Parasitic Catfishes. All species (D).

(L) Family Cetopsidae - Whalelike Catfishes. All species (D).

(M) Family Clariidae - Labyrinth Catfishes All species of the genera Clarias, Dinotopterus, and Heterobranchus (D).

(N) Family Heteropneustidae (Saccobranchidae) - Airsac Catfishes All species (D).

(O) Family Cichlidae - Cichlids

1. *Tilapia sparrmani* (Banded Tilapia) (D).

2. *Tilapia zilli* (Redbelly tilapia) (D), except permits may be issued to a person or agency for importation, transportation, or possession in the counties of San Bernardino, Los Angeles, Orange, Riverside, San Diego, and Imperial.

3. *Tilapia aurea* (Blue tilapia) (D).

4. *Tilapia nilotica* (Nile tilapia) (D).

(P) Family Anguillidae - Freshwater Eels. All species of genus *Anguilla* (D).

(Q) Family Esocidae - Pikes all species (D).

(R) Family Percidae - Perches

1. *Perca flavescens* (Yellow perch) (D).

2. *Stizostedion vitreum* (Walleye) (D).

(S) Family Catostomidae - Suckers All members of the genus *Ictiobus* (Buffalos) (D).

(T) Family Cyprinodontidae - Killifishes *Cyprinodon variegatus* (Sheepshead minnow) (D).

(6) Class Elasmobranchiomorpha - Cartilaginous Fishes

(A) Family Carcharhinidae - Requiem Sharks All species of genus *Carcharhinus* (Freshwater sharks) (D).

(B) Family Potamotrygonidae - River stingrays All species (D).

(7) Class Reptilia - Reptiles

(A) Order Crocodylia - Crocodiles, Caimans, Alligators and Gavials All species (D).

(B) Family Chelyridae - Snapping Turtles All species (D).

(C) Family Elapidae - Cobras, Coral Snakes, Mambas, Kraits, etc. All species (D).

(D) Family Viperidae - Adders and Vipers All species (D).

(E) Family Crotalidae - Pit Vipers All species (D), except *Crotalus viridis* (Western rattlesnake), *Crotalus atrox* (Western diamondback rattlesnake), *Crotalus ruber* (red diamondback rattlesnake), *Crotalus scutulatus* (Mojave rattlesnake), *Crotalus mitchelli* (speckled rattlesnake) and *Crotalus cerastes* (Sidewinder) not restricted.

(F) Family Colubridae - Colubrids

1. *Dispholidus typus* (Boomslang) (D).

2. *Theoltornis kitlandii* (Bird or vine snake) (D).

(G) Family Helodermatidae

1. *Heloderma suspectum suspectum* (reticulate Gila monster) (D).

(8) Class Crustacea - Crustaceans

(A) All species of Family Cambaridae - Crayfish, etc. (D), except *Procambarus clarkii* and *Orconectes virilis* not restricted.

(B) All species of genus *Eriocheir* (D).

(9) Class Gastropoda - Slugs, Snails All nonnative species of slugs and land snails (D), except:

(A) *Rumina decollata* (decollate snail) in the counties of San Bernardino, Riverside, Imperial, Orange, San Diego, Los Angeles, Ventura, Kern, Fresno, Madera, Tulare and Santa Barbara not restricted with the concurrence of the appropriate county agricultural commissioners.

(B) *Helix aspersa* (brown garden snail) not prohibited.

(10) Class Bivalvia - Bivalves All members of the genus *Dreissena* (zebra mussels) - (D).

NOTE: Authority cited: Sections 2118 and 2120, Fish and Game Code. Reference: Sections 1002, 2116, 2118, 2118.2, 2118.4, 2119-2155, 3005.9 and 3005.92, Fish and Game Code. HISTORY 1. Amendment of subsection (g)(5) filed 2-9-84; effective thirtieth day thereafter (Register 84, No. 6). For prior history, see Register 81, No. 29. 2. Amendment of subsection (i) filed 7-8-85; effective thirtieth day thereafter (Register 85, No. 28). 3. Editorial correction of NOTE filed 9-20-85; effective thirtieth day thereafter (Register 85, No. 38). 4. Notice of Erroneous Filing filed 3-24-86 by OAL; purported amendment of subsection (g)(5) filed in error on 2-5-86 is null and void and text as filed

with Secretary of State on 2-9-84 remains in effect uninterrupted (Register 86, No. 13). 5. Amendment of subsection (g)(5) filed 3-24-86; effective thirtieth day thereafter (Register 86, No. 13). 6. Amendment of subsection (h) filed 11-7-86; effective upon filing (Register 86, No. 45). 7. Amendment of subsection (g)(1) filed 5-1-87; operative 5-31-87 (Register 87, No. 19). 8. New subsection (e)(15) filed 2-16-88; operative 3-17-88 (Register 88, No. 9). 9. Amendment of subsection (b) filed 9-8-88; operative 10-8-88 (Register 88, No. 38). 10. Amendment filed 2-26-92; operative 2-26-92 pursuant to Government Code section 11346.2(d) (Register 92, No. 13). 11. Amendment filed 7-21-93; operative 7-21-93 pursuant to section 202, Fish and Game Code (Register 93, No. 30). 12. Amendment of subsection (c)(9)(A) filed 2-28-94; operative 3-30-94 (Register 94, No. 9). 13. New subsection (c)(10) filed 3-7-94; operative 4-6-94 (Register 94, No. 10). 14. Amendment of subsection (c)(1)(I)2 filed 8-23-94; operative 9-22-94 (Register 94, No. 34). 15. Editorial correction of designation of subsection (c)(5)(G) (Register 94, No. 34). 16. Amendment of subsections (c)(2)(Q)2-3 filed 12-7-94; operative 12-7-94 pursuant to Government Code section 11346.2(d) (Register 94, No. 49). 17. Change without regulatory effect amending subsection (c)(1)(C) filed 9-28-95 pursuant to section 1:100, title 1, California Code of Regulations (Register 95, No. 39). 18. Amendment of subsection (c)(5)(J)2. filed 5-5-97; operative 6-4-97 (Register 97, No. 19). 19. Amendment of section heading and section filed 8-27-98; operative 9-26-98 (Register 98, No. 35).

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• CAL. CODE REGS. Tit. 14 §671.1 - Permits for Restricted Species.

(a) General. It is unlawful for any person to import, export, transport, maintain, dispose of, or use for any purpose any animal restricted by Section 671 except as authorized in a permit issued by the department.

(1) Limited Scope. A permit issued pursuant to this Section 671.1 does not supersede any Federal, State, or local law regulating or prohibiting the mammals or the activities authorized in the permit.

(2) Inspections. The department may approve an application prior to facilities being inspected and approved. A permit shall not be issued unless the applicant's facilities have been inspected and approved by the department or persons designated by the department.

The department may enter any facility at a reasonable hour, where restricted species are kept or may be kept to inspect animals, facilities, animal equipment, or to inspect, audit, or copy any permit, book or record required to be kept by these regulations or federal regulations relating to such species.

(3) Change of Address or Name. The permittee must notify the Department's License and Revenue Division, 3211 S Street, Sacramento, California 95816, in writing of any change

of address or name related to the permit within fourteen (14) days of the change.

(4) Records. Any record, log, invoice, or other document required by this Section 671.1 shall be maintained by the permittee for at least three years from the date issued, and be made available to the department immediately upon demand.

(5) Transportation Records Required of Broker/Dealer. The permittee shall prepare and sign an invoice in duplicate prior to any animals leaving their facility. The invoice shall contain the name and address of the Broker/Dealer, a phone number where the Broker/Dealer and the consignee can be reached 24 hours, the name and address of the consignee, the date of the shipment, and the number and scientific name of each animal. The invoice shall accompany the animals being shipped. The consignee shall sign and date the invoice receipt of the shipment and retain a copy.

(6) Permits for Business. A person (as defined in Fish and Game Code Section 67) other than a natural person can qualify for and be issued a permit, only by employing at least one full time employee who possesses the requirements for obtaining a permit. The permittee must continue to employ such qualified persons as long as the animals are possessed in California.

(7) Financial Responsibility. The department may require an applicant for a nonresident permit to provide proof he/she will immediately cover all expenses incurred by the department for personnel, equipment, and facilities used to locate, capture, house, care for, and transport animals that escape or that are released or abandoned. The written proof must be in the form of an insurance bond or other financial guarantee payable to the department, local government agency, or entity contracting for the animals.

(8) Health Certificates. The department may require as a condition on any permit that restricted animals be approved for interstate shipment pursuant to applicable federal or state agency standards for diseases such as but not limited to tuberculosis, brucellosis, and pseudo rabies. Permit conditions may be more restrictive than federal standards.

(b) Permits and Fees. The following fees will be adjusted annually pursuant to Section 699, Title 14, CCR. The department may issue permits with the conditions it determines are necessary to protect native wildlife, agriculture interests, animal welfare, and/or human health and safety to:

(1) Animal Care. A person who is a resident and who has the demonstrated experience and ability to house an animal, and who legally possessed the animal in California prior to January 1992. The permittee may only possess and provide care for the animal(s) specifically listed on their department approved permit inventory. No other activity is authorized except that which is medically necessary for the care of the animal. The base permit fees for this activity in 1998 are \$34.75 for Welfare species and \$289.50 for Detrimental species.

## **Colorado**

### **• 2 COLO. CODE REGS. §406-8 - CHAPTER 11, WILDLIFE PARKS AND UNREGULATED WILDLIFE**

#### Introduction to Chapter 11

In this introduction to chapter 11 we outline possession requirements for live wildlife as found in Colorado wildlife law. There is growing interest in the private possession of live wildlife. At the same time there is considerable confusion over the laws regarding such private possession. Colorado wildlife law generally prohibits the importation, live possession, sale, barter, trade, or purchase of any species of wildlife native to Colorado (33-6-113(1), C.R.S.). In addition, these same laws restrict or prohibit the importation and possession of exotic (non-native) wildlife (33-6-109(4), C.R.S.).

Live possession of Wildlife is permitted only under the exceptions noted below and as further detailed in Wildlife Commission regulations and Colorado statutes, See C.R.S. 33-1-106, 33-6-109, 33-6-113, 33-6-114, 18-9-202. The Wildlife Commission also maintains a "prohibited species" list in Chapter 0. The possession of these species is severely restricted.

The Wildlife Commission establishes these regulations in an effort to balance its mandate to protect native species of wildlife in Colorado from the impacts which could be caused by the introduction of exotic (non-native) species with the public interest and demand for the private possession of live wildlife.

Reptiles and Amphibians - Chapter 10 of Wildlife Commission regulations provide that any person can possess up to six live native reptiles or native amphibians for personal use except for those species whose possession are specifically prohibited in chapter 0 or 10. These animals may not be sold, traded, or bartered.

Scientific Collection permit - Chapter 13 allows for the lawful possession of live wildlife under the authority of a scientific collection permit. Specific permit conditions and restrictions apply and may vary from permit to permit based on the needs of the permittee as well as appropriate protection of wildlife resources.

Wildlife Rehabilitation - Chapter 14 allows for the lawful possession of live wildlife by licensed rehabilitators as a means to care for sick, injured or orphaned wildlife. With few exceptions, possession is allowed only long enough for the animal to recover or mature.

Falconry and Hawking - Chapter 6 allows for the possession of falcons, hawks, and eagles for falconry purposes. Persons possessing these birds must be properly licensed by both the U.S. Fish and Wildlife Service and the Division of Wildlife.

Aquaculture - Colorado statutory law recognizes that fish may be held and propagated under the authority of an aquaculture permit issued by the Department of Agriculture. In



addition, chapter 12 authorizes the possession of fish for use in aquaria with some restrictions.

Bait dealers - Chapter 1, fishing, authorizes bait dealers and individuals to possess certain live fish as bait. Specific restrictions apply.

Snapping turtles - Chapter 0, General Provisions, authorizes the live possession of snapping turtles by any person.

Wildlife Park Licenses - Chapter 11 provides for lawful possession, propagation and sale of native and exotic wildlife via a mandatory licensing process. This includes possession of any live wildlife, other than those discussed above or listed as "unregulated" wildlife. Examples include: Any live mammals (including furbearers), game birds, or other terrestrial wildlife not specifically listed on the unregulated wildlife list. Persons possessing live wildlife under a Commercial Wildlife Parks License are required to maintain their commercial status.

Unregulated Wildlife - No license is required for the private possession or purchase of animals which are included on the unregulated wildlife list or the domestic animal list. These animals may be sold, bartered, traded, exchanged, propagated or purchased by any person provided that importation requirements of the Department of Agriculture, health certifications, or any other federal, state or local requirements are met. There are no possession limits.

These are chapter 11 regulations clarify that it is unlawful to intentionally release any wildlife declared to be unregulated. The wildlife on these lists are typically sold, purchased, possessed and propagated as pets, maintained by hobbyists, or raised for food and fiber within Colorado's alternative livestock industry. If an animal is not listed on either the unregulated wildlife or the domestic animal list it cannot be lawfully sold to an unlicensed person unless specifically authorized by Commission regulation.

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#### #1103 - EXEMPTIONS FROM LICENSE REQUIREMENTS:

A. Domestic animals - The following animals are considered domestic and are exempted from the requirements of Wildlife Commission regulations:

Domestic dog (*Canis familiaris*) including hybrids with wild canids

Domestic cat (*Felis catus*) including hybrids with wild felines

Domestic horse (*Equus caballus*) including hybrids with *Equus asinus*

Domestic ass, burro, and donkey (*Equus asinus*)

Domestic cattle (*Bos taurus* and *Bos indicus*)

Domestic sheep (*Ovis aries*)

Domestic goat (*Capra hircus*)

Domestic swine (*Sus scrofa domestica*)

Domesticated races of hamsters (*Mesocricetus* spp.)

Domesticated races of mink (*Mustela vison*)

Domesticated races of guinea pigs (*Cavia porcellus*)

Domesticated races of gerbils (*Meriones unguiculatus*)

Domesticated races of chinchillas (*Chinchilla laniger*)

Domesticated races of rats (*Rattus norvegicus* and *Rattus*)

Domesticated races of mice (*Mus musculus*)

Domesticated races of European rabbit (*Oryctolagus cuniculus*)

Domesticated races of chickens (*Gallus*)

Domesticated races of turkey (*Meleagria gallopavo*) distinguished morphologically from wild birds

Domesticated races of ducks and geese (*Anatidae*) distinguishable morphologically from wild birds

Domesticated races of European ferret (*Mustela putorius*)

Domesticated races of pigeons (*Columba domestica* and *Columba livia*) and feral pigeons

Domesticated races of guinea fowl (*Numida meleagris*)

Domesticated races of peafowl (*Pavo cristatus*)

Bison (*Bison*) including hybrids with domestic cattle

Ostrich (*Struthio* spp.)

Llama (*Lama glama*)

Rhea (*Rhea spp.*)

Emu (*Dromiceius spp.*)

Alpaca (*Lama pacos*)

Reindeer (*Rangifer tarandus*)

Yak (*Bos grunniens*)

Camels (*Camelus bactrianus* and *Camelus dromedarius*)

B. Unregulated Wildlife - Prior to adoption of this regulation (#1103B), possession of the listed species was expressly prohibited by Section 33-6-109(4), C.R.S. The decision of the Wildlife Commission to authorize this possession as herein provided is based on the scientific evidence available to it at the time of adoption of the regulation. The Wildlife Commission retains the statutory authority and duty to amend these regulations and to impose requirements, restrictions, and/or prohibition on possession of any of the listed species if and when further evidence comes to the Wildlife Commission's attention which makes such amendments appropriate.

Except for the provisions of section #007 regarding importation, #008 regarding the prohibited species list, #009 regarding release of live wildlife, and section #1114 regarding the addition of species to the unregulated wildlife list, the wildlife enumerated in this list are otherwise exempted from the requirements of Wildlife Commission regulations.

Unregulated wildlife may be imported, sold, bartered, traded, transferred, possessed, propagated and transported in Colorado provided that all importation, disease requirements and any other state, local or federal requirements are met. Statutory restrictions still apply.

All marine animals (vertebrates and invertebrates) except for anadromous and catadromous species.

Mammals:

African pygmy hedgehog (*Atelerix albiventris*, *Erinaceus albiventris*)

Sugar Gliders (*Petaurus breviceps*)

Short-tailed Possum (*Monodelphis domestica*)

Dama Wallaby (Tammar Wallaby) *Macropus eugenii*

Swamp Wallaby *Wallabia bicolor*

Bennet Wallaby (Red-necked Wallaby) *Macropus rufogriseus*

Red Kangaroo *Macropus rufus*

Walleroo *Macropus robustus*

Fishes:

All tropical and subtropical fishes

Common goldfish (*Carassius auratus*) Koi

Birds:

All tropical and subtropical birds in the Order Passeriformes: including but not limited to birds in the families:

Sturnidae (Mynahs)

Ramphastidae (Toucans, Toucanettes)

Fringillidae (Siskins)

Estrildidae (Finches)

Emberizidae (Cardinals)

Ploceidae (Weavers)

Timaliidae (Mesias)

Viduinae (Wydahs)

Thraupidae (Tanagers)

Zosteropidae (Zosterops)

European Goldfinch (*Carduelis carduelis*)

All Psitticine birds

Reptiles and Amphibians:

All non-native snakes in the families:

Bolidae (giant snakes)

Colubridae (modern snakes), except venomous species

Acrochordidae (file and elephant trunk snakes)

Xenopeltidae (sunbeam snakes)

Aniliidae (pipe snakes)

Uropeltidae (shield-tailed snakes)

All tropical and subtropical lizards in the Suborder Sauria, including but not limited to the following families or subfamilies:

Agamidae (chisel-teeth lizards)

Anelytropsidae (snake lizards)

Anguidae (glass and alligator lizards)

Chamaeleonidae (chameleons)

Cordylidae (girdle-tailed lizards)

Corytophanidae (casquehead lizards)

Crotaphytidae (collared and leopard lizards)

Dibamidae (blind lizards)

Feyliniidae (African snake skinks)

Gekkonidae (geckos)

Pygopodidae (snake lizards)

Scincidae (skinks)

Eublepharidae (Eyelid geckos)

Helodermatidae (beaded lizards, gila monsters)

Iguanidae (iguanas)

Lacertidae (wall lizards)

Lanthanotidae (earless monitor)

Phrynosomatidae (earless, spiny, and horned lizards)

Polychridae (anoles)

Teiidae (whiptail)

Tropiduridae (neotropical ground lizards)

Varanidae (monitor lizard)

Xantusiidae (night lizard)

Xenosauridae (knob-scaled lizards).

All tropical and subtropical turtles in the families:

Carettochelyidae (New Guinea softshell turtles)

Dermatemydidae (Central American river turtles)

Kinosternidae (mud and musk turtles)

Testudinidae (tortoises)

Trionychidae (soft-shelled turtles)

Red-eared slider (*Trachemys scripta*)

All tropical and subtropical frogs and toads in the families:

Atelopodidae (stub-footed toads)

Bufoidea (true toads)

Centrolenidae (glass frogs)

Dendrobatidae (poison dart frogs)

Hylidae (tree frogs)

Leptodactylidae (tropical frogs)

Microhylidae (narrow-mouthed toads)

Pelobatidae (spadefoot toads)

Pelodytidae (spadefoot toads)

Phrynomeridae (snake-necked frogs)

Pipidae (clawed frogs, Surinam toads)

Pseudidae (Harlequin frogs)

Ranidae (true frogs)

Rhacophoridae (flying frogs)

Rhinophrynidae (cone-nosed toads)

*Rana pipiens* (Leopard frog) acquired from lawful out-of-state source or instate commercial producer.

*Ambystoma tigrinum* (Tiger salamander) acquired from lawful out-of-state source or instate commercial producer.

Oriental fire-bellied toad (*Bombina orientalis*)

Order Gymnophiona - Caecilians, tropical amphibians

Order Urodela - Salamanders and newts

Suborder Amphisbaenia - Worm lizards

Caimens

Members of the subfamily Phasianinae not native to North America except chukar partridge, grey partridge, red-legged partridge and ring-necked pheasant.

Those species of ducks, geese and swans not listed in the regulations of the U.S. Fish & Wildlife Service in the Code of Federal Regulation 50 CFR. 10.13 (October 1, 1994). This rule does not incorporate amendments to said U.S. Fish and Wildlife Service regulations. Information regarding this rule or copies may be obtained from the Terrestrial Wildlife Section, 6060 Broadway, Denver, CO 80216.

C. Federal, state or county agencies or any person with a valid scientific collecting permit conducting research; zoos accredited by AAZPA, and individual animals used in carnival and animal acts which are licensed by the U.S. Department of Agriculture.

D. No license is required for wildlife taken in accordance with commission regulation 1000.A.6.

E. Up to 25 live ring-necked pheasants, Gambel's quail, scaled quail, bobwhite quail, chukar, grey partridge or mallard ducks may be possessed for up to twenty-five (25) days without a license. Such wildlife shall be accompanied by a receipt showing that the wildlife have been lawfully acquired, to include the source and the purchase or acquisition date. These birds may only be hunted on the day of release and the number of birds taken cannot exceed the number of birds released. All released birds not taken by hunting on the day of release shall become property of the state. All hunting must occur on private property. No birds held under the authority of this section may be released and hunted during any season established for that species.

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#### #1105 - APPLICATION REQUIREMENTS

A. Prior to the issuance of any license, the Division shall determine that the applicant has met the following requirements:

1. Demonstrates it is a "commercial" operation by documenting it has a profit motive as determined pursuant to the following criteria. An applicant does not have to meet all of the listed criteria.

These criteria include:

- a. Hiring of trained employees
- b. Maintenance of detailed business records
- c. Generation of profits
- d. Abandoning the activity when profits cannot be achieved
- e. Advertising
- f. Experiencing annual increases in net income from the activity
- g. Devoting significant amount of time to the activity
- h. Devoting significant amount of money to the activity
- i. Development of a written business plan
- j. Operating the activity in a business like manner



- k. Evidence of previous profitability in a similar activity
  - l. Consistent efforts to market products and/or services
  - m. Exercising care in carrying on the activity
  - n. Expectation of large profits if successful
  - o. Having or developing expertise with respect to the activity
  - p. Investigating the profit potential of the activity
  - q. Filing state and federal income tax returns on the activity
  - r. Inservice training for existing employees
2. Submission of a completed application form provided by the Division.
  3. Submission of a plan of the proposed park showing areas to be fenced, topography, type of fence and isolation facilities.
  4. Submission of a list of all facilities to be covered by the license, including the address/location.
  5. Certification by the applicant that the proposed possession of wildlife is not in violation of any city or county ordinance and submission of any required local permits.
  6. Certification by the applicant that he/she has been provided with information by the Division of Wildlife about Chronic Wasting Disease (CWD).
- B. Upon receipt of an application, the Division will review the application, inspect the facilities, determine if any negative impact to native wildlife will occur, and determine that the provisions of the chapter have been met. Approval, denial or conditions imposed will be based on compliance with the licensing, facilities, and protection of native wildlife criteria in this chapter 11. Written notification of the approval, denial (including reasons for the denial), and any special conditions will be made within 60 days of receipt of the application by the Division.
- C. Review of a denial of a Commercial Parks License shall be in accordance with Section 24-4-104 C.R.S. as may be amended.

## **Connecticut**

- CONN. GEN. STAT. §26-40A - Possession of potentially dangerous animals.

For the purposes of this section, the following shall be considered as potentially dangerous animals: The felidae, including the lion, leopard, cheetah, jaguar, ocelot, jaguarundi cat, puma, lynx and bobcat; the canidae, including the wolf and coyote; and the ursidae, including the black bear, grizzly bear and brown bear. No person shall possess a potentially dangerous animal. Any such animal illegally possessed may be ordered seized and may be disposed of as determined by the Commissioner of Environmental Protection. Any person who violates any provision of this section shall be fined not more than one hundred dollars for each offense. The provisions of this section shall not apply to municipal parks, zoos and nature centers, or museums, laboratories and research facilities maintained by scientific or educational institutions; to a person possessing a Bengal cat certified by an internationally recognized multiple-cat domestic feline breeding association as being without wild parentage for a minimum of four prior generations which cat was registered with the Commissioner of Agriculture on or before October 1, 1996, provided no such cat may be imported into this state after June 6, 1996; or to persons possessing animals legally on or before May 23, 1983. In any action taken by any official of the state or any municipality to control rabies, a Bengal cat shall be considered not vaccinated for rabies in accordance with accepted veterinary practice.(1967, P.A. 344; P.A. 83-191, S. 2, 9; P.A. 96-243, S. 5, 16.)

## **Delaware**

- DEL. CODE ANN tit. 3 §7201. - Possession; permit required.

No person shall bring into this State, possess, sell or exhibit any live wild mammal or hybrid of a wild mammal or live reptile not native to or generally found in Delaware without first securing a permit under this chapter. The Department of Agriculture may adopt regulations to exempt such mammals and reptiles that do not represent a significant threat to community interests from the provisions of this chapter. Notwithstanding any provisions of this chapter to the contrary, no person shall bring into this State, possess, sell or exhibit any poisonous snake not native to or generally found in Delaware where the venom of such snake poses a risk of serious injury or death to a human, and no permit for the same shall be issued by the Department of Agriculture.

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- DEL. CODE ANN tit. 3 §7202. - Permit; rules and regulations; exemptions.

The Department of Agriculture shall enforce this chapter and may issue a permit where the possession or exhibition of a live wild mammal or hybrid of a wild mammal or live reptile will be in the public interest, and may promulgate rules and regulations for the proper enforcement of this chapter. The Department may designate agencies authorized to conduct animal cruelty enforcement and/or dog control enforcement to enforce the provisions of this chapter. The Department shall receive a fee of \$25 for each and every

permit issued. Nothing in this chapter shall be deemed to prevent the use of any live wild mammal or hybrid of a wild mammal or live reptile in medical or psychological research or for display in any municipal zoological park or traveling circus after issuance of a permit.

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• DEL. CODE ANN tit. 3 §7203. - Penalties.

Whoever violates this chapter shall for each offense be fined not more than \$500, imprisoned not more than 30 days, or both. Justices of the peace shall have jurisdiction over offenses under this chapter.

### **Florida**

• FLA. ADMIN. CODE ANN. r. §68A-6.002 - Categories of Captive Wildlife.

(1) The commission hereby establishes the following categories of wildlife:

(a) Class 1:

1. Chimpanzees (genus Pan)
2. Gorillas (genus Gorilla)
3. Gibbons (genus Hylobates)
4. Drills and mandrills (genus Mandrillus)
5. Orangutans (genus Pongo)
6. Baboons (genus Papaio)
7. Siamangs (genus Symphalangus)
8. Gelada baboons (genus Theropithecus)
9. Snow leopards (Panthera uncia)
10. Leopards (Panthera pardus)
11. Jaguars (Panthera onca)
12. Tigers (Panthera tigris)

13. Lions (*Panthera leo*)
14. Bears (family Ursidae)
15. Rhinoceros (family Rhinocerotidae)
16. Elephants (family Elephantidae)
17. Hippopotamuses (family Hippopotamidae)
18. Cape buffalos (*Syncerus caffer caffer*)
19. Crocodiles (except dwarf and Congo) (family Crocodylidae)
20. Gavials (family Gavialidae)
21. Black caimans (*Melanosuchus niger*)
22. Komodo dragons (*Varanus komodoensis*)

(b) Class II:

1. Howler monkeys (genus *Alouatta*)
2. Uakaris (genus *Cacajao*)
3. Mangabeys (genus *Cercocebus*)
4. Guenons (genus *Ceropithecus*)
5. Bearded sakis (genus *Chiropotes*)
6. Guereza monkeys (genus *Colobus*)
7. Celebes black apes (genus *Colobus*)
8. Idris (genus *Indri*)
9. Macaques (genus *Macaca*)
10. Langurs (genus *Presbytis*)
11. Douc langurs (genus *Pygathrix*)
12. Snub-nosed langurs (genus *Phinopithecus*)

13. Proboscis monkeys (genus *Nasalis*)
14. Serval (*Leptailurus serval*)
15. European and Canadian lynx (*Lynx lynx*)
16. Cougars, panthers (*Puma concolor*)
17. Bobcats (*Lynx rufus*)
18. Cheetahs (*Acinonyx jubatus*)
19. Caracals (*Caracal caracal*)
20. African golden cats (*Profelis aurata*)
21. Temminck's golden cats (*Profelis temmincki*)
22. Fishing cats (*Prionailurus viverrina*)
23. Ocelots (*Leopardus pardalis*)
24. Clouded leopards (*Neofelis nebulosa*)
25. Coyotes (*Canis latrans*)
26. Gray wolves (*Canis lupus*) (including wolf x domestic hybrids which are 25 percent or less domestic dog)
27. Red wolves (*Canis niger*) (including wolf x domestic hybrids which are 25 percent or less domestic dog)
28. Asiatic jackals (*Canis aureus*)
29. Black-backed jackals (*Canis mesomelas*)
30. Side-striped jackals (*Canis adustus*)
31. Indian dholes (*Cuon alpinus*)
32. African hunting dogs (*Lycaon pictus*)
33. Wolverines (*Gulo gulo*)
34. Honey badgers (*Mellivora capensis*)

35. American badgers (*Taxides taxus*)
36. Old World badgers (*Meles meles*)
37. Binturongs (*Arctictis binturong*)
38. Hyenas (all species) (family Hyaenidae)
39. Dwarf crocodiles (*Osteolaemus tetraspis*)
40. Alligators, cainans (except American alligator) (family Alligatoridae)
41. Ostrich (*Struthio camelus*)
42. Cassowary (*Casuarius spp.*)

(c) Class III: All other wildlife not listed herein, except those for which a permit is not required pursuant to rule 68A-6.0022, F.A.C.

(2) Except as provided in s. 68A-6.0021, Class I wildlife shall not be possessed for personal use.

(3) Persons possessing any captive wildlife for purposes of public display or sale shall obtain a permit as specified in s. 372.921, F.S.

(4) Persons possessing Class II wildlife as personal use wildlife shall purchase a permit as provided in s. 372.922, F. S.

(5) Persons possessing Class III wildlife as personal use wildlife shall obtain a no-cost permit from the Executive Director American alligators shall not be possessed as personal use wildlife and shall be possessed only in accordance with permits issued under rule 68A-9.002, F.A.C., ss. 372.6673 or 372.921, Florida Statutes.

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• FLA. ADMIN. CODE ANN. r. §68A-6.0021 - Possession or Transfer of Class I Wildlife as Personal Use Wildlife; Transfer of Wildlife.

(1) Any Class I wildlife possessed for personal use on August 1, 1980, shall be eligible for a permit in accordance with the provisions for Class II wildlife. No other Class I wildlife shall be kept for personal use.

(2) It shall be unlawful for any person to buy, sell, or transfer any wildlife to or from an unpermitted entity within Florida. The recipient's name, address and the permit or license

number if required shall be entered in the transferer's records and made available for inspection upon request of commission employees for a period of one year after the transfer.

(3) Persons possessing Class I wildlife for personal use shall comply with all provisions of this chapter relating to the personal use of wildlife.

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• FLA. ADMIN. CODE ANN. r. §68A-6.0022 - Possession of Wildlife in Captivity; Permits.

(1) Permits to possess wildlife in captivity, issued pursuant to ss. 372.921 or 372.922, F.S., and the provisions of the Chapter, shall authorize the keeping of captive wildlife, of the type and number specified in applications approved by the Commission, in accordance with law and Commission rules. Captive wildlife maintained under permit shall, unless otherwise authorized, be maintained only at the facility specified in the permit application and approved by the Commission.

(2) No permit shall be required to possess the following wildlife for personal use, unless possession of a species is otherwise regulated by other rules of the Commission:

(a) Reptiles, amphibians (nonvenomous, unprotected)

(b) Gerbils, hedgehogs

(c) Honey possums, sugar gliders, brushtailed possums

(d) Shell parakeets

(e) Rats and mice

(f) Canaries

(g) Moles; shrews

(h) Rabbits

(i) Squirrels; chipmunks

(j) Ferrets (domestic; European)

(k) Lovebirds

(l) Guinea pigs

(m) Cockadels

(n) Hamsters

(o) Parrots

(p) Finches

(q) Myna birds

(r) Toucans

(s) Doves; ringed, ruddy, and diamond

(t) Button quail

(u) Prairie dogs

(v) Chinchillas

(3) No permit shall be required for the sale of poultry, hamsters, guinea pigs, domestic rats and mice, gerbils, or chameleons (Anolis).

(4) No permit shall be issued to any person to possess Class in wildlife for personal use unless such person can provide documentation of the following:

(a) Be 16 years of age or older.

(b) Application for permits to possess Class III shall include the satisfactory completion of a questionnaire developed by the Commission that assesses the applicants knowledge of general husbandry, nutritional, and behavioral characteristics. Applicants for permits to possess capuchin, spider, or woolly monkeys shall meet the experience and examination requirements for Class II primates and shall maintain such wildlife in cages or enclosures which meet the structural requirements as specified in Rule 68A-6.003 (2)(e), F.A.C.

(c) Be able to provide satisfactory caging facilities as required in the standard caging requirements, Rule 68A-6.004, F.A.C., within 30 days of notification of tentative approval for a permit

(d) Ensure that the conditions under which the wildlife will be held shall not constitute a threat to the public or to the animal.

(5) Qualification requirements for a permit to possess Class I and II wildlife:



(a) All applicants shall qualify for permits as follows:

1. Age Requirement: Applicants to possess Class I or Class II wildlife shall be at least 18 years of age.

2. Applicants shall not have been convicted of any violation of captive wildlife regulations, any offense involving the illegal commercialization of wildlife, or offenses involving cruelty to animals, within three (3) years of the date of application.

3. Experience Requirement for Class I permits:

a. Applicants shall demonstrate no less than one (1) year of substantial practical experience (to consist of no less than 1000 hours) in the care, feeding, handling and husbandry of the species for which the permit is sought, or other species, within the same biological order (except ratites which shall be in the same biological sub-order) which are substantially similar in size, characteristics, care and nutritional requirements to the species for which the permit is sought.

b. For purposes of demonstrating compliance, applicants shall submit documentation of such experience, including:

i. A description of the specific experience acquired.

ii. The dates the experience was obtained and the specific location(s) where acquired.

iii. References of no less than two (2) individuals having personal knowledge of the applicant's stated experience. Additional documentation may include records of prior permits for the keeping of captive wildlife, employment records, and any other competent documentation of the requisite experience.

c. Documented educational experience in zoology or other relevant biological sciences, obtained at the college or technical school level or above, may substitute for up to six months or 500 hours of the required experience.

4. Experience and examination requirements for Class II permits:

a. Applicants may qualify for a permit for Class II wildlife by documenting one year of experience (to consist of no less than 1000 hours) as defined in 68A-6.0022 (5)(a)3.a. - c. above. If the applicant is unable to document such experience, as an alternative, the applicant may take a written examination. The successful completion of a written examination for the particular species or family, administered by the Division of Law Enforcement together with the documentation of not less than 100 hours of substantial practical experience (with documentation and compliance procedures as noted in 68A-6.0022 (5)(a)3. above) in the care, feeding, handling and husbandry of the species or family for which the permit is sought may be substituted for the one-year/1,000-hour requirement. Upon receipt of an application, the Commission shall notify the applicant of

the time and place of the next examination. Applicants scoring at least 80 percent correct on the examination shall be deemed as meeting the examination requirement for the particular species or family.

b. The above requirements shall not apply to applicants for permits to possess ostriches, rheas, emus, cassowaries or coyotes when possessed for purposes other than public exhibition or personal use.

#### 5. Facility Requirements:

a. Applicants for permits to possess wildlife in captivity shall specify the location of the facility at which captive wildlife shall be maintained, and such facility shall be inspected and approved by the Commission prior to issuance of the permit.

b. Applicants shall submit documentation verifying that the construction of the facility, its cages and enclosures is not prohibited by county ordinance and, if willing a municipality, municipal ordinance.

c. Class I wildlife shall not be possessed in multi-unit dwellings or in any premises consisting of less than one-quarter acre of land area. Class II wildlife shall not be possessed in multi-unit dwellings unless the dwelling in which they are housed is equipped with private entrance, exit, and yard area.

### **Georgia**

- GA. CODE ANN. §27-5-4 - Wild animal licenses and permits generally.

(a) Unless otherwise provided in Code Section 27-5-5, it shall be unlawful for any person to import, transport, transfer, sell, purchase, or possess any wild animal listed in Code Section 27-5-5 or specified by the board by regulation without first obtaining a wild animal license from the department as provided in Code Section 27-2-23 or a wild animal permit as provided in this Code section; provided, however, anyone holding a deer-farming license is not required to have a wild animal license or permit to possess farmed deer. Unless otherwise specified by the department, such license or permit shall be effective from April 1 through March 31 and may contain such conditions and restrictions, including restrictions as to numbers and species of animals, as the department determines appropriate in light of the provisions of this chapter. An applicant for a wild animal license or permit shall have the burden of proving that any wild animals subject to such license or permit are or will be imported, transported, transferred, sold, purchased, or possessed in compliance with this chapter.

(b) Wild animal licenses will be issued only to persons engaged in the wholesale or retail wild animal business or persons exhibiting wild animals to the public. Wild animal permits will be issued at no cost and only to persons for scientific or educational purposes or to a pond owner for grass carp or grass carp hybrids where the department has

determined that the possession of such carp by the pond owner will not constitute a threat to wildlife; provided, however, that no such permit shall be required for persons buying triploid grass carp from properly licensed wild animal dealers authorized to sell grass carp where the bill of sale is retained by the buyer as proof of such sale and where the triploid grass carp are to be stocked only into a private pond; provided, further, that no such license or permit shall be required solely for the transportation of wild animals through this state where the animals remain in this state no more than 24 hours and are not sold or transferred while in this state.

(c) It shall be unlawful for any person to sell, transfer, deliver, or surrender a wild animal listed in Code Section 27-5-5 or specified by the board by regulation to any other person unless that other person holds a license or permit issued pursuant to this chapter for such wild animal or is exempt from the requirement for such a permit or license by the provisions of subsection (d) of this Code section.

(d) No wild animal license or permit shall be required for a carrier regulated either by the Interstate Commerce Commission, the Civil Aeronautics Board, or the Public Service Commission to import or transport any wild animal.

(e) Any licenses issued by the department to any person for public exhibition purposes shall be conditioned so that the person operating a wild animal exhibition in a nontraveling, fixed facility shall make the facility open to the public for a time no less than 30 hours per week for at least six months each year; and the person operating a wild animal exhibition in a transient facility shall make the facility open to the public for a reasonable period of time and for reasonable hours of the day, depending upon the nature of the exhibition. The department is authorized to issue such licenses in accordance with this chapter requiring adequate facilities for the humane handling, care, and confinement of wild animals and ensuring public safety. Notwithstanding any other provision of this title, exhibitions of wild animals by federal, state, city, county, or municipal governments or their agencies and transient circuses, which circuses can demonstrate to the satisfaction of the department that 10 percent of the proceeds from such exhibitions shall be devoted to charitable purposes in this state, shall not be required to purchase a wild animal license but shall be required to obtain the license, at no charge, from the department; provided, however, all other provisions of this chapter and all regulations relating to the humane handling, care, and confinement of wild animals must be complied with.

(f) Except as otherwise provided in this chapter, a wild animal license or permit is required for the possession of any wild animal listed in subsection (b) of Code Section 27-5-5 or as required by regulation of the board. Liability insurance is required for the possession of any wild animal that is classified as being inherently dangerous to people in subsection (a) of Code Section 27-5-5 or as required by regulation of the board. Prior to the issuance of a wild animal license or permit for animals classified as being inherently dangerous to people, any applicant other than a governmental agency or university research facility must provide proof of liability insurance from a company licensed to do business in this state or an unauthorized insurer if permitted by Chapter 5 of Title 33. Such insurance must be maintained in force and effect and cover claims for injury or

damage to persons or property in an amount equal to \$40,000.00 for each inherently dangerous animal up to a maximum of \$500,000.00. The insurance company shall notify the department at least 30 days prior to the termination of the policy by the company. Liability insurance is not required for wild animals that are not considered to be inherently dangerous to people.

(g) Any license or permit issued in accordance with this chapter shall be valid only for the species and numbers of wild animals referenced on the application and the license or permit. The license or permit to hold a female wild animal shall cover her progeny only while the progeny are physically dependent upon her or until her progeny are two months of age, whichever period is longer. It shall also be unlawful to transfer any license or permit issued by the department from one person to another person.

(h) It shall be unlawful for any person holding a license or permit issued pursuant to this chapter to import, transport, sell, transfer, or possess any wild animal in facilities not approved by the department as described in Code Section 27-5-6.

(i) In the event that a determination has been made to revoke, suspend, deny, or refuse to renew any license or permit issued pursuant to this chapter, the applicant for the license or permit may appeal the determination according to the provisions stated in Code Section 27-2-25.

(j) It shall be unlawful for any person holding a license or permit pursuant to this chapter to import, purchase, transport, sell, or transfer any wild animal and fail to record in a record book, within 24 hours after the completion of such a transaction, the date, place, manner, and names and addresses of all persons involved in such a transaction. It shall also be unlawful to fail to maintain such records for a period of 12 months or to fail to provide the department access to such records during all regular business hours.

(k) Wild animal licenses shall not be issued unless the following conditions are met:

(1) The applicant must be at least 18 years of age;

(2) Applicants requesting a license for mammals must obtain a license from the Animal and Plant Health Inspection Service of the United States Department of Agriculture or provide written documentation that the applicant is exempt from such requirements;

(3) Applicants must submit documentation verifying that the proposed construction of facilities and the holding of wild animals is not prohibited by county or municipal ordinances;

(4) The applicant must obtain required business licenses; and

(5) Facilities for holding or exhibiting wild animals must be completely separated from a residence and meet specifications for humane handling, care, and confinement as provided in Code Section 27-5-6.

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• GA. CODE ANN. §27-5-5 - Wild animals for which license or permit required.

(a) The following animals are considered to be inherently dangerous to human beings and are subject to the license or permit and insurance requirements provided for in subsection (f) of Code Section 27-5-4:

(1) Class Mammalia:

(A) Order Marsupialia: Family Macropodidae: Genus Macropus (Kangaroos) - All species;

(B) Order Primates:

(i) Family Pongidae (gibbons, orang-utan, chimpanzees, siamangs, and gorillas) - All species;

(ii) Family Cercopithecidae:

(I) Genus Macaca (macaques) - All species;

(II) Genus Papio (mandrills, drills, and baboons) - All species;

(III) Theropithecus gelada (Gelada baboon);

(C) Order Carnivora:

(i) Family Canidae:

(I) Genus Canis (wolves, jackals, and dingos); all species; except that any person possessing hybrid crosses between wolves and domestic animals on July 1, 1994, shall have until July 1, 1995, to apply for a fee-exempt permit to possess these animals as pets; provided, however, that the said hybrid is sexually neutered; provided, further, that it shall be unlawful to transfer possession or ownership of said hybrid without prior written approval from the department. Liability insurance shall not be mandatory for wolf hybrids possessed under this fee-exempt permit;

(II) Chrysocyon brachyurus (maned wolf);

(III) Cuon alpinus (red dog);

(IV) Lycaon pictus (African hunting dog);

- (ii) Family Ursidae (bears) - All species;
- (iii) Family Mustelidae - *Gulo gulo* (wolverine);
- (iv) Family Hyaenidae (hyenas) - All species;
- (v) Family Felidae:
  - (I) Genus *Leo* or *Panthera* or *Neofelis* (lions, tigers, jaguars, and leopards) - All species;
  - (II) *Unica unica* (snow leopard);
  - (III) *Acinonyx jubatus* (cheetah);
  - (IV) *Felis concolor* (cougar) - All subspecies;
- (D) Order Proboscidea: Family Elephantidae (elephants) - All species;
- (E) Order Perissodactyla: Family Rhinocerotidae (rhinoceroses) - All species;
- (F) Order Artiodactyla:
  - (i) Family Suidae - *Phacochoerus aethiopicus* (warthog);
  - (ii) Family Hippopotamidae - *Hippopotamus amphibius* (hippopotamus);
  - (iii) Family Bovidae:
    - (I) Genus *Taurotragus* (elands) - All species;
    - (II) *Boselaphus tragocamelus* (nilgai);
    - (III) *Bos sauveli* (kouprey);
    - (IV) *Syncerus caffer* (African buffalo);
    - (V) *Hippotragus niger* (sable);
    - (VI) *Oryx gazella* (gemsbok);
    - (VII) *Addax nasomaculatus* (addax);
    - (VIII) Genus *Alcelaphus* (hartebeests) - All species;
    - (IX) Genus *Connochaetes* (gnu, wildebeest) - All species;

(2) Class Reptilia:

(A) Order Crocodylia:

(i) Family Crocodylidae (crocodiles, gavials, etc.) - All species;

(ii) Family Alligatoridae - (alligators and caimans) - All species;

(B) Order Squamata:

(i) Suborder Serpentes:

(I) Family Elapidae (cobras, coral snakes, etc.) - All species;

(II) Family Viperidae (adders, vipers, etc.) - All species;

(III) Family Colubridae - All poisonous rear-fanged species (Opisthoglypis);

(IV) Family Crotalidae (pit vipers) - All species;

(ii) Suborder Lacertilia: Family Helodermatidae (Gila monsters and beaded lizards) - All species;

(3) Class Osteichthyes:

(A) Order Cypriniformes (Suborder Characoidei): Family Characidae (tetra, piranha): Genera Serrasalmus, Serrasalmo, Pygocentrus, Taddyella, Rooseveltiella, Pygopristis (piranhas) - All species;

(B) Order Siluriformes: Family Trichomycteridae (parasitic catfishes): Genera Vandellia (candiru) and Urinophilus - All species; and

(4) Class Chondrichthyes (cartilaginous fish): Order Rajiformes: Family Potamotrygonidae (fresh-water stingray) - All species.

(b) Except as provided in this Code section, a license or permit is required for the following wild animals and any others specified by regulation of the board:

(1) Class Mammalia:

(A) Order Marsupialia (opossum, wallabies, etc.) - All species;

(B) Order Insectivora (shrews, moles, etc.) - All species;

(C) Order Dermoptera (flying lemurs) - All species;

(D) Order Chiroptera (bats) - All species;

(E) Order Primates (monkeys, apes, etc.) - All species except Family Hominidae;

(F) Order Edentata (sloths, armadillos, etc.) - All species;

(G) Order Pholidota (pangolins or scaly anteaters) - All species;

(H) Order Lagomorpha (rabbits, hares, etc.) - All species except Genus *Oryctolagus*; or any other normally domesticated species;

(I) Order Rodentia (rats, mice, etc.) - All species except Genus *Cavia*; Genus *Gerbillus*; Genus *Mesocricetus*; *Mus musculus*; *Rattus rattus*; *Rattus norvegicus*; or any other normally domesticated species;

(J) Order Cetacea (whales, dolphins, etc.) - All species;

(K) Order Carnivora (weasels, ferrets, cats, bears, wolves, etc.) - All species, except that a European ferret (*Mustela putorius furo*) may be sold, purchased, exhibited, or held as a pet without a license or permit; provided, however, that the ferret owner can provide valid documentation that the ferret was sexually neutered prior to seven months of age and is vaccinated against rabies with a properly administered vaccine approved for use on ferrets by the United States Department of Agriculture;

(L) Order Tubulidentata (aardvark) - All species;

(M) Order Proboscidea (elephants) - All species;

(N) Order Hyracoidea (conies) - All species;

(O) Order Sirenia (manatees, dugong) - All species;

(P) Order Perissodactyla (odd-toed ungulates) - All species;

(Q) Order Artiodactyla (even-toed ungulates) - All species except *Bison bison* (buffalo) and *Llama guanicoe*, *L. glama*, and *L. pacos* (llamas);

(2) Class Aves:

(A) Order Falconiformes (hawks, eagles, vultures, etc.) - All species except that persons possessing a federal falconry license shall be allowed to possess birds in the Order Falconiformes without obtaining a wild animal license;

(B) Order Galliformes: Family Meleagrididae (turkeys) - All species not normally domesticated;



- (C) Order Psittaciformes: *Myiopsitta monachus* (monk parakeet);
- (D) Order Cuculiformes: Family Cuculidae (cuckoos) - All species;
- (E) Order Strigiformes (owls) - All species;
- (F) Order Passeriformes:
- (i) Family Alaudidae (larks): *Alauda arvensis* (skylarks);
- (ii) Family Pycnonotidae (bulbuls) - All species;
- (iii) Family Muscicapidae (thrushes, blackbirds, ieldfare, etc.): Genus *Turdus* - All species;
- (iv) Family Zosteropidae (white eyes): Genus *Zosterops* - All species;
- (v) Family Emberizidae (buntings, etc.): *Emberiza citrinella* (yellow hammer);
- (vi) Family Ploceidae (sparrows, weavers, queleas, weaver finches, etc.):
- (I) Genus *Passer* - All species except *Passer Domesticus* (English house sparrow);
- (II) *Ploceus capensis* (cape weaver);
- (III) *Ploceus philippinus* (Baya weaver);
- (IV) Genus *Quelea* - All species;
- (vii) Family Icteridae (blackbirds, grackles, orioles, etc.): Genera *Molothrus*, *Quiscalus*, and *Agelaius* - All species;
- (viii) Family Estrildidae (waxbills, ricebirds, munias, weaver finches, etc.): *Padda oryzivora* (Java sparrow);
- (ix) Family Sturnidae (starlings, mynas, etc.) - All species except *Sturnus vulgaris* (starling) and *Gracula religiosa* (Hill mynas);
- (x) Family Corvidae (crows, ravens, etc.) - All species;
- (3) Class Amphibia (Order Anura):
- (A) Family Bufonidae (toads): *Bufo marinus*, *Bufo paracnemis*, *Bufo horribilis* (giant or marine toad group);
- (4) Class Osteichthyes (bony fish):

(A) Order Cypriniformes (Suborder Characoidei): Family Characidae (tetra, piranha):

(i) *Astyanax fasciatus* (banded tetra);

(ii) Genera *Serrasalmus*, *Serrasalmo*, *Pygocentrus*, *addyiella*, *Rooseveltiella*, *Pygopristis* (piranhas) - All species;

(B) Order Cypriniformes (Suborder Cyprinoidei): Family Cyprinidae (carp, grass carp, orfe, etc.):

(i) *Ctenopharyngodon idella* (grass carp);

(ii) *Hypophthalmichthys molitrix* (silver carp);

(iii) *Aristichthys nobilis* (bighead carp);

(C) Order Siluriformes:

(i) Family Clariidae (air-breathing catfishes) - All species;

(ii) Family Trichomycteridae (parasitic catfishes): Genera *Vandellia* (candiru) and *Urinophilus* - All species;

(iii) Family Heteropneustidae (giant walking catfishes): Genus *Heteropneustes* - All species;

(D) Order Perciformes (Suborder Channoidei) Family Channidae (snakeheads): Genera *Ophicephalus* and *Channa* - All species;

(5) Class Chondrichthyes (cartilaginous fish): Order Rajiformes: Family Potamotrygonidae (fresh-water stingray) - All species; and

(6) All exotic fish which are not held in aquaria or tanks, provided that, as used in this Code section, "aquaria or tanks" means containers for holding fish from which no water is discharged, except during periodic cleaning, and which discharged water is passed through a filtering system capable of removing all fish and fish eggs and is disposed of only in a septic tank permitted by the county or in a waste-water treatment system permitted by the Environmental Protection Division of the department. For purposes of this paragraph, exotic fish are all fish species not native to Georgia. This paragraph shall not apply to any species of fish regulated by any other chapter of this title.

(c) Any person who on July 1, 1994, possessed a wild animal for which a license or permit was not required prior to July 1, 1994, shall have until January 1, 1995, to apply for a fee-exempt permit, provided that the requirements of this chapter relating to insurance and humane handling, care, and confinement of wild animals are met. Such

permits shall only be valid for wild animals possessed prior to July 1, 1994, and shall not authorize breeding, importation, sale, or transfer without specific authorization from the department.

## Hawaii

- HAW. ADMIN. RULES §4-71-5 - Notice of Quarantine.

The board finds that there exists serious danger to the agricultural, horticultural, and aquacultural industries, natural resources, and environment of Hawaii by the uncontrolled introduction of feral and other non-domestic animals.

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- HAW. ADMIN. RULES §4-71-6 - Prohibited introductions.

(a) The introduction into Hawaii of live animals or live non-domestic animals as defined in this chapter at any stage of development is prohibited except for those animals on the lists incorporated in §4-71-6.5 by permit, and except as provided by section 150A-6(b), HRS.

(b) The list of animals designated as prohibited entry pursuant to sections 150A-6(b) and 150A 6(d), HRS, dated November 18, 1998, and located at the end of this chapter is made a part of this section. No person shall introduce into Hawaii any animal from the list of prohibited animals.

## PROHIBITED ANIMAL LIST - MAMMALS

### SCIENTIFIC NAME COMMON NAME

PHYLUM Chordata (crosses with prohibited species) Animals, hybrid; (all hybrid-crossed where one or both parents are prohibited)

Canis familiaris crossed with wolf, coyote, dingo, jackal, fox, dhole, African wild dog, racoon dog, bush dog, etc. dog, hybrid; (all hybrid-crosses, where one or both parents are prohibited or restricted)

Felis catus crossed with lynx, ocelot, margay, puma, jaguarandi, bobcat, leopard cat, wild cat, etc. Cat hybrid; (all hybrid-crosses where one or both parents are prohibited or restricted)

CLASS Mammalia; ORDER Chiroptera Chiroptera (all species in order) Bats

FAMILY Pteropodidae Pteropus (all species in genus) foxes, flying

ORDER Lagomorpha FAMILY Leporidae Lepus (all species in genus) hares, wild

ORDER Rodentia FAMILY Cricetidae Cricetidae (all in family, except the following five species for research by government agencies only: Cricetulus griseus (mouse, Chinese); Gerbillus gerbillus (gerbil); Mesocricetus auratus (hamster); Meriones unquiculatus (gerbil); and Sigmondon hispidus (rat, cotton))

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· HAW. ADMIN. RULES §4-71-6.1 - Ad hoc panel for identification of prohibited hybrid animal.

(a) The chairperson shall establish an ad hoc panel of no fewer than three members with applicable expertise in vertebrate biology to determine if an animal is a prohibited hybrid animal when the branch suspects that the lineage of the animal is not as stated by the owner or on other official documents.

(b) The ad hoc panel shall review all pertinent information including, but not limited to, expert consultations, health and pedigree certificates, owner's statements, branch findings, or viewings of the animal, to determine lineage of a suspect prohibited hybrid animal.

(c) After its review and determination the ad hoc panel shall report its findings to the branch, and appropriate action shall be taken by the branch on the disposition of the suspect hybrid prohibited animal.

(d) In any contested case arising out of the identification of a suspected hybrid animal, the method of identification selected by the ad hoc panel shall not be overturned absent evidence of actual bias on the part of one or more of the ad hoc panel members or unless the method of identification lacks a scientific basis.

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· HAW. ADMIN. RULES §4-71-6.5 - Permitted introductions.

(a) The introduction into Hawaii of live animals or live non-domestic animals as defined in this chapter is only allowed:

(1) For those animals on the list designated as conditionally-approved and dated November 18, 1998, or on the list designated as restricted entry, dated November 18, 1998, pursuant to section I50A-6(b), HRS, both of which lists are located at the end of this chapter and made a part of this section;

(2) By permit approved by the board or chief pursuant to sections 4-71-3 and 4-71-4; and

(3) After securing appropriate bond for certain animals pursuant to sections 4-71-7, 4-71-8, and 4-71-9.

(b) Pursuant to the requirements of subsection (a) herein, the introduction of animals on the lists of conditionally-approved or restricted animals is allowed as follows:

- (1) Animals on the list of conditionally-approved animals, for individual possession, businesses, or institutions;
  - (2) Animals on Part A of the list of restricted animals, for research by universities or government agencies, exhibition in municipal zoos or government-affiliated aquariums, for other institutions for medical or scientific purposes as determined by the board, or for other purposes as specified in this chapter; and
  - (3) Animals on Part B of the list of restricted animals, for the purposes described in subsection (b)(2) herein or for private and commercial use, including research, zoological parks, or aquaculture production.
- (c) The introduction of unlisted animals for the purpose of conducting scientific research that is not detrimental to agriculture, the environment, or humans requires a special permit on a case-by-case basis for import and possession if the importer can meet permit requirements or other guidelines as determined by the board pursuant to section 150A-6(b), HRS.
- (d) The introduction of unlisted animals for the purpose of filming, performance, or exhibition requires a short-term special permit on a case-by-case basis not to exceed 90 days for importation and possession if the importer can meet permit and bonding requirements as determined by the board pursuant to section 150A-6(b), HRS.
- (e) The permittee shall obtain prior site approval for animals on the list of restricted animals and for unlisted animals under special permit as determined by the board.
- (f) Restricted list animals and unlisted animals under special permit as determined by the board require a permit for both import and possession. Where a permit for a restricted list animal allows transfer or sale, the proposed transferee shall first obtain a permit for possession of the animal by application to the chief, site inspection approval, and satisfaction of any bond or other requirements applicable.
- (g) The board may establish permit conditions including but not limited to, time, place, location, use, special precautions, health requirements, and safeguarding the animal from escape, unauthorized release, or theft, as well as any applicable requirements of municipal, state or federal laws. The permittee shall comply with the requirements of this chapter, chapter 150A, HRS, and specific permit conditions established by the board.

## **Idaho**

- IDAHO CODE §36-701 - Wildlife held captive without license or permit unlawful - Exceptions

(a) No person shall engage in any propagation or hold in captivity any species of big game animal found wild in this state, unless the person has been issued a license or permit by the director as hereinafter provided.

(b) All other species of mammals, birds or reptiles that are found in the wild in this state and are not species of special concern or threatened and endangered species, may be held in captivity without permit so long as the possessor retains proof that such wildlife was lawfully obtained. Such proof shall be maintained and presented to department representatives in accordance with section 36-709, Idaho Code.

(c) Exceptions.

1. No such license or permit shall be required of any municipal, county, state or other publicly owned zoo or wildlife exhibit or of any traveling circus, menagerie or trained act of wild animals not permanently located within the state of Idaho nor of any bona fide pet store displaying lawfully acquired wildlife for sale nor of any fur farm regulated and inspected pursuant to chapter 30, title 25, Idaho Code, nor of any domestic cervidae farm regulated and inspected pursuant to chapter 35, title 25, Idaho Code.

2. Except for the provisions of paragraph (d) below and section 36-709, Idaho Code, relating to inspection and records of same, nothing in this chapter shall be so construed as to apply to any exotic wildlife, or domestic fur farm operated under the provisions of title 25, Idaho Code, or any tropical fish or other aquaria or ornamental fish which the commission determines do not pose a threat to native fish if released into the public waters of the state.

3. Except for the provisions of section 36-709(b), Idaho Code, relating to inspection of facilities, nothing in this chapter shall be so construed as to apply to any domestic cervidae farm.

(d) No person shall import into this state or release in the wild any species of wildlife except by permit issued by the director.

## **Illinois**

- ILL. REV STAT, ch. 720, para. 585/0.1

As used in this Act, unless the context otherwise requires:

"Dangerous animal" means a lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, bear, hyena, wolf or coyote, or any poisonous or life-threatening reptile.

"Owner" means any person who (a) has a right of property in a dangerous animal, (b) keeps or harbors a dangerous animal, (c) has a dangerous animal in his care, or (d) acts as custodian of a dangerous animal.

"Person" means any individual, firm, association, partnership, corporation, or other legal entity, any public or private institution, the State of Illinois, or any municipal corporation or political subdivision of the State.

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• ILL. REV STAT, ch. 720, para. 585/1

No person shall have a right of property in, keep, harbor, care for, act as custodian of or maintain in his possession any dangerous animal except at a properly maintained zoological park, federally licensed exhibit, circus, scientific or educational institution, research laboratory, veterinary hospital or animal refuge in an escape-proof enclosure.

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• ILL. REV STAT, ch. 720, para. 585/2

It is no defense to a violation of Section 1 that the person violating such Section has attempted to domesticate the dangerous animal. If there appears to be imminent danger to the public, any dangerous animal found not in compliance with the provisions of this Act shall be subject to seizure and may immediately be placed in an approved facility. Upon the conviction of a person for a violation of Section 1, the animal with regard to which the conviction was obtained shall be confiscated and placed in an approved facility, with the owner thereof to be responsible for all costs connected with the seizure and confiscation of such animal. Approved facilities include, but are not limited to, a zoological park, federally licensed exhibit, humane society, veterinary hospital or animal refuge.

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• ILL. REV STAT, ch. 720, para. 585/3

Any person violating this Act shall be guilty of a Class C misdemeanor. Each day of violation constitutes a separate offense.

In the event the person violating this Act is a corporation or partnership, any officer, director, manager or managerial agent of the partnership or corporation who violates this Section or causes the partnership or corporation to violate this Section is guilty of a Class C misdemeanor.

## Indiana

New statutes (not yet online) replace these regulations.

- IND. ADMIN. CODE tit. 312, r. 9-11-2 - First permit to possess a wild animal

Sec. 2. (a) This section governs the first permit under this rule to possess a particular wild animal.

(b) A person who possesses a wild animal, described as Class I or Class II under section 5 of this rule, must apply to the department for a permit under this rule within five (5) days after acquiring the animal.

(c) A person who wishes to possess a wild animal, described as Class III, must satisfy IC 14-3-18 [IC 14-3 was repealed by P.L.1-1995, SECTION 91, effective July 1, 1995.] and receive a permit issued under this rule before the person takes possession of the animal. In addition to any procedural requirements, a notice under this subsection must also describe the following:

(1) The species of the wild animal.

(2) Where the animal will be possessed.

(3) The type of enclosure which would be used.

(d) A permit application must include a written verification from a licensed veterinarian that the animal appears to be free of disease, appropriately immunized, and in good health.

(e) An application must present a plan for the quick and safe recapture of the wild animal if the animal escapes or, if recapture is impracticable, for the destruction of the animal. After notification by the department of an intention to issue a permit, but before the permit is issued, the applicant must obtain the equipment needed to carry out the recapture and destruction plan. The nature and extent of the recapture plan and the equipment needed are dependent on the danger the escaped animal poses to persons, domestic animals, livestock, and other wildlife in the vicinity of the escape.

(f) A permit to possess a Class III wild animal shall require the permit holder to notify the department immediately after the discovery of any escape of the animal.

(g) A permit application must be completed on a department form and accompanied by a fee in the amount of ten dollars (\$10).

(h) A conservation officer will inspect the cages or enclosures after the application is received.



(i) An application must show the wild animal was lawfully acquired. A receipted invoice, bill of lading, or other evidence approved by the director shall accompany the application to establish compliance with this subsection.

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• IND. ADMIN. CODE tit. 312, r. 9-11-8 - Class III wild animals for which a permit is required

Sec. 8. A permit is required under this rule for the following Class III wild animals:

- (1) Wolves which are purebred.
- (2) Bears (all species).
- (3) Wild cats (all species), excluding except feral cats.
- (4) Venomous reptiles.
- (5) Crocodylians that are at least five (5) feet long.

### **Iowa**

- N/A

### **Kansas**

- KAN. ADMIN. REGS. 115-20-3 - Exotic wildlife; possession, sale and requirements

(a) Subject to federal or state law or rules and regulations, exotic wildlife species may be imported, possessed, sold, offered for sale or purchased, provided the exotic wildlife was legally captured, raised, exported, possessed, sold or purchased or any combination of these activities in its place of origin.

(b) Exotic wildlife may be possessed without limit in time and number.

(c) Exotic wildlife shall be confined or controlled at all times and shall not be released onto the lands or into the waters of this state.

(d) Exotic wildlife shall only include those wildlife species which are non-migratory and are not native or indigenous to Kansas, or do not presently exist in Kansas as an established wild population.

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• KAN. ADMIN. REGS. 115-20-4 - Possession of certain wildlife.

(a) Any person possessing one of the following animals shall be required to obtain a possession permit:

(1) mountain lion, *Felis concolor* Linnaeus;

(2) wolf, *Canis lupus* Say;

(3) black bear, *Ursus americanus* Pallas; and

(4) grizzly bear, *Ursus arctos horribilis* Ord.

(b) Any individual may apply to the secretary for a possession permit. The applicant shall provide the following information:

(1) the name of the applicant;

(2) the address of the applicant;

(3) the telephone number of the applicant;

(4) the species and number of wildlife for which the possession permit is requested;

(5) the purpose for which the wildlife would be possessed;

(6) proof of purchase or receipt; and

(7) other information as requested by the secretary.

(c) Each permittee shall submit a report to the department describing changes in wildlife possession as authorized by the possession permit. The report shall be submitted within five days after the change occurred, except that the escape of any possessed wildlife shall be reported within 24 hours. Changes for which a report shall be required include:

(1) any possessed wildlife sold or otherwise disposed of;

(2) any wildlife purchased or otherwise acquired;

(3) the death of any possessed wildlife; or

(4) the escape of any possessed wildlife.

- (d) Each permittee shall only possess wildlife species and numbers as authorized in the possession permit.
- (e) The possession permit shall be valid from date of issue and shall expire upon request of the permittee or as so ordered by any legal authority.
- (f) The possession of wildlife listed in subsection (a) shall be subject to all federal and state laws and regulations and to all local ordinances.
- (g) The provisions of this regulation shall not apply to:
- (1) zoos;
  - (2) licensed veterinarians;
  - (3) transportation of such wildlife through the state;
  - (4) possession of such wildlife when the possession shall not exceed five days; or
  - (5) such wildlife possessed for scientific, educational or display purposes by:
    - (A) a school or university; or
    - (B) a circus or other similar business enterprise offering public viewing opportunity.

## **Kentucky**

- 301 KY. ADMIN. REGS. 2:082 - Importing and holding exotic wildlife.

Section 1. Definitions. (1) "Circus" means a traveling public entertainment show consisting of acrobats, clowns, and trained animals, but shall not include a show including wrestling bears or other direct contact between members of the public and inherently dangerous animals.

- (2) "Exotic wildlife" means living terrestrial wildlife species which have:
- (a) Never existed in the wild in Kentucky; or
  - (b) Been extirpated from the state and could not be reasonably expected to survive in the wild if introduced.
- (3) "Protected wildlife" is defined by KRS 150.010(25).
- (4) "Wildlife" is defined by KRS 150.010(41).

Section 2. (1) Except as specified in subsection (2) of this section, a person shall not import or possess:

- (a) Suricate or slender-tailed meerkat (Genus *Suricata*);
- (b) Flying fox or fruit bat (Genus *Pteropus*);
- (c) Wild European rabbit (also called the San Juan Rabbit);
- (d) Mulimammate rat (Subgenus *Mastomys*);
- (e) Nutria (*Myocastor coypus*);
- (f) Monk or Quaker parakeet (*Myiopsitta monachus*);
- (g) Cuckoo (Family *Cuculidae*), except native species;
- (h) Sky lark (*Alauda arvensis*);
- (i) European blackbird (*Turdus merula*);
- (j) Mistle thrush (*Turdus viscivorus*);
- (k) Fieldfare (*Turdus pilaris*);
- (l) Song thrush (*Turdus philomelos*);
- (m) White eyes (Genus *Zosterops*);
- (n) Cape sparrow (*Ploceus philippinus*);
- (o) Baya weaver (*Ploceus baya*);
- (p) Madagascar weaver (*Foudia madagascariensis*);
- (q) Weaver finches (Genus *Passer*), except *Passer domesticus*;
- (r) Dioch or red-bellied quelea (*Quelea quelea*);
- (s) Cowbirds (Genus *Molothrus*), except native species;
- (t) Blackbirds (Genus *Agelaius*), except native species;
- (u) Yellowhammer (*Emberiza citrinella*);

(v) Java sparrow (*Padda oryzivora*);

(w) Hawaiian rice bird or spotted munia (*Lonchura punctalata nisorina*);

(x) Starlings (Family Sturnidae) except *Sturnus vulgaris* and hill mynahs (*Gracula Religiosa*);

(y) Pink starling or rosy pastor (*Sturnus roseus*);

(z) Mute swan (*Cygnus olor*);

(aa) Giant or marine toad (*Bufo marinus*);

(bb) Tongueless or African clawed frog (*Aenopus laevis*);

(cc) A member of the following families:

1. Suidae (pigs or hogs), except for domestic swine;
2. Viverridae (civits, genets, lingsangs, mongooses and fossas);
3. Tayassuidae (Peccaries and javelinas).

(2) Under the provisions of KRS 150.180(6) the commissioner may allow the importation or possession of the species listed in subsection (1) of this section for legitimate scientific or educational purposes by:

(a) A zoo that is:

1. A member of the American Zoo and Aquarium Association; or
2. Designated as the official zoo of a municipality.

(b) A government agency;

(c) A college or university; or

(d) A similar educational or research institution.

Section 3. (1) A person shall obtain a transportation permit from the department before importing exotic wildlife.

(2) An application for a transportation permit shall be made on an application for Transportation Permit form provided by the department and accompanied by:

(a) A veterinarian's certificate that the wildlife does not exhibit symptoms of disease;

(b) A copy of a bill or sale or other proof that the wildlife was obtained legally; and

(c) If not an institution listed in Section 2(2) of this administrative regulation, a signed statement from the local authority having jurisdiction over where the animal will be kept, certifying that the possession of the following dangerous exotic species is not prohibited by local ordinance:

1. African buffalo (*Syncerus caffer*);
2. Hippopotamus (*Hippopotamus amphibius*);
3. Hyenas (family *Hyaenidae*), all species except aardwolves (*Proteles Cristatus*);
4. Honey badger or ratel (*Mellivora campensis*);
5. Old world badger (*Meles meles*);
6. Lions, jaguars, leopards or tigers (Genus *Panthera*);
7. Clouded leopard (*Neofelis nebulosa*);
8. Cheetah (*Acinonyx jubatus*);
9. Elephants (family *Elephantidae*);
10. Rhinoceroses (family *Rhinocerotidae*);
11. Gibbons or siamangs (family *Hylobatidae*);
12. Orangutans, chimpanzees, or gorillas (Family *Pongidae*);
13. Baboons, drills or mandrills (Genus *Papio*);
14. Macaques (Genus *Macaca*);
15. Gelada baboon (*Theropithecus gelada*);
16. Gavials (Family *Gavialidae*);
17. Crocodiles (Family *Crocodylidae*);
18. Alligators or caimans (Family *Alligatoridae*);
19. Sea snakes (Family *Hydrophidae*);

20. Cobras or coral snakes (Family Elapidae);
21. Adders or vipers (Family Viperidae);
22. Venomous rear-fanged species (Family Colubridae);
23. Gila monsters or beaded lizards (Family Helodermatidae);
24. Komodo dragon (*Varanus komodoensis*);
25. The following constricting snakes over eight (8) feet in length:
  - a. Boa constrictor (*Boa constrictor*) all subspecies;
  - b. Anaconda (*Eunectes murinus*);
  - c. Indian python (*Python molurus*);
  - d. Reticulated python (*Python reticulatus*); or
  - e. Rock Python (*Python sebae*);
26. Bears (Family Ursidae);
27. Wolf or wolf hybrids of over twenty-five (25) percent wolf; or
28. Cougar or mountain lion (*Felis concolor*).

(3) Failure to provide accurate, truthful and complete information on the application form shall result in:

- (a) Immediate withdrawal or revocation of the permit; and
- (b) Confiscation of the wildlife imported under the permit.

Section 4. A person shall not release exotic wildlife into the wild.

Section 5. Unless otherwise protected by state or federal law, exotic wildlife shall not:

- (1) Be classed as protected wildlife; and
- (2) Require a permit from the department for possession.

Section 6. The following classes of animals shall not be considered wildlife and shall not require permits from the department for importation or possession:

- (1) Breeds and varieties of goats derived from the wild goat or bezoar (*Capra aegagrus*);
- (2) Domestic swine, except free-living or feral wild boars or wild swine;
- (3) Llama (*Lama glama*);
- (4) Alpaca (*Lama pacos*);
- (5) Domestic Yak (*Bos grunniens*);
- (6) Camels (*Camelus bactrianus* and *Camelus dromedarius*);
- (7) Hamsters (*Mesocricetus* spp.);
- (8) Domesticated races of mink (*Mustela vison*), if:
  - (a) Adults are heavier than 1.15 kilograms; or
  - (b) The fur color can be distinguished from wild mink;
- (9) Guinea pigs (*Cavia porcellus*);
- (10) Gerbils (*Meriones unguiculatus*);
- (11) Chinchillas (*Chinchilla laniger*);
- (12) Domesticated races of rats (*Rattus norvegicus* or *Rattus rattus*) or mice (*Mus musculus*);
- (13) Domesticated races of the European rabbit (*Oryctolagus cuniculus*), except the wild European rabbit (also called the San Juan Rabbit).
- (14) Domesticated races of turkeys (*Meleagris gallopavo*) recognized by the American Poultry Association and the U.S. Department of Agriculture; but shall not include captive held or bred wild turkeys;
- (15) Domestic races of ducks and geese (*Anatidae*) distinguishable morphologically from wild ducks or geese;
- (16) Feral Pigeons (*Columba domestica* or *Columba livia*) or domesticated races of pigeons;
- (17) Guinea fowl (*Mumida megeagris*);
- (18) Peafowl (*Pavo cristatus*);



(19) Ratites, as defined by KRS 247.870; or

(20) American bison.

Section 7. The provisions of this administrative regulation shall not be enforced until after January 1, 1998.

Section 8. Incorporation by Reference. (1) Application for Transportation Permit, (1997), Department of Fish and Wildlife Resources, is incorporated by reference. (2) It may be inspected, copied, or obtained at the Department of Fish and Wildlife Resources, Arnold L. Mitchell Building, #1 Game Farm Road, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

## **Louisiana**

• LA. ADMIN. CODE tit. 76, §115 - Possession of Potentially Dangerous Wild Quadrupeds

A. This commission finds that possession of certain potentially dangerous quadrupeds poses significant hazards to public safety and health, is detrimental to the welfare of the animals, and may have negative impacts on conservation and recovery of some threatened and endangered species.

1. The size and strength of such animals in concert with their natural and unpredictable predatory nature can result in severe injury or death when an attack upon a human occurs. Often such attacks are unprovoked and a person other than the owner, often a child, is the victim. Furthermore, there is no approved rabies vaccine for such animals, so even minor scratches and injuries inflicted upon humans or other animals could be deadly.

2. Responsible possession of these potentially dangerous wild quadrupeds necessitates that they be confined in secure facilities. Prolonged confinement is by its nature stressful to these animals and proper long-term care by experienced persons is essential to the health and welfare of these animals and to society.

3. Certain of these animals are listed as endangered species and others are so similar in appearance to endangered subspecies as to make practical distinction difficult. This similarity of appearance may provide a means to market illegally obtained endangered animals and can limit the effective enforcement of endangered species laws.

B. This commission regulation prohibits possession of certain wild quadrupeds as follows.

C. No person shall possess within the state of Louisiana, any of the following species or its subspecies of live wild quadrupeds, domesticated or otherwise:

1. cougar or mountain lion (*Felis concolor*),
2. black bear (*Ursus americanus*),
3. grizzly bear (*Ursus arctos*),
4. polar bear (*Ursus maritimus*),
5. red wolf (*Canis rufus*),
6. gray wolf (*Canis lupus*),
7. wolf-dog hybrids (*Canis lupus* or *Canis rufus* x *Canis familiaris*).

D. Valid game breeder license holders for these species legally possessed prior to October 1, 1988, will be "grandfathered" and renewed annually until existing captive animals expire, or are legally transferred out of state, or are transferred to a suitable public facility. No additional animals may be acquired. The prohibition against wolf-dog hybrids will expire January 1, 1997. Persons are cautioned that local ordinances or other state regulations may prohibit possession of these animals. After January 1, 1997, an animal which appears indistinguishable from a wolf, or is in any way represented to be a wolf may be considered to be a wolf in the absence of bonafide documentation to the contrary.

E. Qualified educational institutions, zoos, and scientific organizations may be exempted from this prohibition on a case-by-case basis upon written application to the secretary. Minimum pen requirements for exempted educational institutions, zoos and scientific organizations are as follows:

1. Bears

- a. Single animal: 25 feet long by 12 feet wide by 10 feet high, covered roof.
- b. Pair: 30 feet long by 15 feet wide by 10 feet high, covered roof.
- c. Materials: chain link 9 gauge minimum.
- d. Safety perimeter rail.
- e. Pool: 6 feet by 4 feet by 18 inches deep with facilities for spraying or wetting bear(s).

2. Wolf

- a. Fifteen feet long by 8 feet wide by 6 feet high per animal, covered roof.
- b. Secluded den area: 4 feet by 4 feet for each animal.

c. Materials: chain link wire or equivalent.

d. Safety perimeter rail.

3. Cougar, Mountain Lion

a. Single animal: 10 feet long by 8 feet wide by 8 feet high, covered roof.

b. Pair: 15 feet long by 8 feet wide by 8 feet high, covered roof.

c. Materials: chain link 9 gauge minimum.

d. Safety perimeter rail.

e. Claw log.

f. Shelf: 24 inch wide by 8 feet long, 40 inches off floor.

**Maine**

• ME. REV. STAT. ANN. tit. 12 § 7235-A - Permit to possess, propagate and sell wild birds and wild animals

1. Issuance. The commissioner may issue a permit to a person complying with this section, permitting that person to possess, propagate or sell wild birds and wild animals.

2. Fee. The fee for a 2-year permit to possess, propagate or sell wild birds and wild animals is \$25. All permits issued under this section for calendar year 1994 are valid through December 31, 1995.

3. Restrictions. The following restrictions apply to a person issued a permit under this section.

A. A ringneck pheasant or bobwhite quail, whether live or dressed, that is possessed by virtue of this permit must be identified with a permanent leg band before being removed from the premises of the permittee. This permanent leg band, supplied by the permittee, must remain attached to the bird until that bird is finally prepared for consumption.

B. A wild animal or part of a wild animal, which is possessed by virtue of this permit, must be identified with a securely attached tag or seal before being removed from the premises of the permittee. This tag or seal, supplied by the permittee, must remain attached to the wild animal or the part of the wild animal until the animal or part is finally prepared for consumption or manufactured into a finished product.

C. A permit issued pursuant to this section does not authorize the permittee to possess, propagate or sell deer, bear, moose, wild turkey, hybrid wild turkey or wild turkey-domestic turkey cross.

D. A permit issued pursuant to this section does not authorize a person to possess, propagate or sell any wild animal taken in accordance with sections 12 M.R.S.A. § 7501, 12 M.R.S.A. § 7502 or 12 M.R.S.A. § 7504.

4. Exemptions. The following are exemptions to the requirements of this section.

A. The department is exempt from the provisions of this section.

B. Notwithstanding subsection 3, paragraph B, an exotic animal is not required to be identified with a tag or seal.

5. Report of sale or transfer. Each person who is issued a permit under this section shall report on forms provided by the commissioner the sale or transfer of each wild bird or wild animal. The forms must be printed in triplicate, one copy to be retained by the permittee, one copy to accompany the bird or animal being sold or transferred and one copy to be submitted to the commissioner on the last day of the month in which the sale or transfer took place.

6. Annual inventory report. Within 30 days following the end of each calendar year, each person who is issued a permit under this section shall submit an annual inventory report to the commissioner. The annual inventory report, submitted on forms provided by the commissioner, must provide an accurate inventory of the total number of wild birds and wild animals possessed by the permittee on that date.

7. Permit revocation for failure to report. The commissioner may revoke any permit issued under this section if the permit holder fails to meet the reporting requirements of subsections 5 and 6. The commissioner shall notify the permit holder of the revocation in accordance with section 12 M.R.S.A. § 7077-C. A person whose permit has been revoked under this section may request a hearing before the commissioner. If, after hearing, the commissioner finds that the person met the reporting requirements of subsections 5 and 6, the revocation is rescinded. If the commissioner finds that the person did not meet the reporting requirements, the revocation remains in effect.

8. Rules. The commissioner may adopt rules necessary for the proper administration of this section, including provisions to ensure that all wild birds and wild animals receive humane treatment and proper confinement.

9. Exceptions. Notwithstanding subsection 3, paragraph C, a person possessing wild turkeys, hybrid wild turkeys or wild turkey-domestic turkey crosses acquired prior to January 1, 1995 may continue to possess those birds if that person applies for and receives a special permit issued by the commissioner and if that person completes an annual report on forms provided by the commissioner.

## **Maryland**

- MD. CODE ANN., NAT. RES. §70D

(a) Prohibited conduct. - (1) A person may not import into Maryland, offer for sale, trade, barter or exchange as a household pet any live:

(i) Fox, skunk, raccoon, or bear;

(ii) Alligator or crocodile;

(iii) Member of the cat family other than the domestic cat; or

(iv) Any poisonous snakes specifically in the family groups of Hydrophidae, Elapidae, Viperidae, or Crotolidae.

(2) Notwithstanding the provisions of paragraph (1) of this subsection, a person may offer these species for sale, trade, barter, import, or exchange to a public zoo, park, museum, educational institution, or to a person holding valid State or federal permits for educational, medical, scientific, or exhibition purposes.

(b) Penalty. - Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction, in the case of an individual, shall be fined not more than \$1,000; or in the case of any person other than an individual, by a fine of not more than \$10,000.

(c) Exceptions. - Exempted from the provisions of this section are those species of wildlife not being kept as household pets and which are individually exempted by a permit issued by the Department of Natural Resources.

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- MD. REGS. CODE tit. 08.03.09, §03 - Rabies Emergency

A. A person may not import into Maryland any live raccoons, skunks, foxes, wolves, coyotes, bobcats, or any other mammalian wildlife species, or hybrids, for which there is no U.S.D.A. certified vaccine against rabies.

B. A person or incorporated or unincorporated organization may not harbor or move within Maryland any live raccoons, skunks, foxes, wolves, coyotes, bobcats, or any other mammalian wildlife species, or hybrids, for which there is no U.S.D.A. certified vaccine against rabies, without first having obtained a permit from the Service, except that it shall be lawful to transfer those living animals within a county or city to a designee of local government for the purpose of humane euthanasia.

C. This regulation does not prohibit the importation or possession of gerbils, hamsters, domesticated rats and mice, chinchillas, European ferrets, domestic rabbits, guinea pigs, hedgehogs, sugar gliders, and primates of the families Cebidae, Cercopithecidae, and Pongidae only.

D. This regulation does not prohibit or restrict the importation or possession of mammals into Maryland for use at a circus, carnival, or fair licensed under 9 CFR § 2.1 - 2.11, Subpart A.

## **Massachusetts**

• MASS. GEN. LAWS ANN. ch. 131, §77A - Propagation, dealing, etc. in fish, birds, mammals, reptiles or amphibians; rules and regulations; licenses; fees.

Section 23. Except as otherwise provided by this section or any rule or regulation made under the authority thereof, a person shall not engage in the propagation, cultivation, or maintenance of, or the dealing in, fish, birds, mammals, reptiles, or amphibians, or parts thereof, as provided in section twenty-four, twenty-five or forty-seven, without first having obtained a propagator's license or dealer's license, as the case may be, authorizing him so to do. For the purpose of this section, birds, mammals, reptiles and amphibians shall refer to undomesticated birds, mammals, reptiles and amphibians that are wild by nature. Nothing in this section shall be construed to prohibit the propagation, disposition, sale, possession or maintenance of domesticated species.

The director, after a public hearing, shall make and may alter, amend, or repeal, rules and regulations governing the possession, propagation, maintenance, disposition, purchase, exchange, sale or offering for sale of fish, birds, mammals, reptiles or amphibians, or parts thereof, protected by this chapter, and may issue licenses in accordance with such rules and regulations.

The director shall draw up a special exemption list of fish, birds, mammals, reptiles and amphibians. Animals to be thus listed shall meet the following criteria: (1) accidental release of the fish, bird, mammal, reptile or amphibian will not result in an adverse effect on the ecology of the commonwealth; (2) the animal in captivity, or escaped therefrom poses no substantial danger to man, by either injury or disease; (3) proper care of the animal is no more demanding in any major respect than proper care of common domestic animals; and (4) trade in the fish, bird, mammal, reptile or amphibian has no significant adverse effect on the wild population of such animal in any of its natural habitats. No animal listed in any category of the International Union for Conservation of Nature and Natural Resources' Red Data Books shall be listed; no animal protected by either federal endangered species law or by section twenty-six A shall be listed. The special exemption list may be altered by the director after a public hearing. Any individual may possess as a pet, without a license, any animal on the special exemption list, and may continue to do so in case of subsequent removal of such animal from the list, for the lifetime of his animal, contingent upon evidence of acquisition of the animal while so listed.

Each license issued by the director shall specify the degree to which fish, birds, mammals, reptiles or amphibians, or parts thereof, may be propagated, cultivated, maintained, disposed of, or dealt in, and the section of the law with respect to which such license is issued. For the granting of an individual license for an animal that is not on the special exemption list, the applicant shall satisfy the director that he can maintain in good health, properly confine and protect the animal; if, however, depletion of the wild population of the species is an issue, proposed acquisition of a captive-bred animal or acquisition by a person whose ownership is likely to benefit the species shall be given preference.

A license to possess as a pet a bird, mammal, fish, reptile or amphibian owned prior to January first, nineteen hundred and seventy-four shall, provided that any potentially injurious animal is properly confined in a suitable facility, be granted at any time to any individual upon presentation of evidence of ownership of the animal in question prior to January first, nineteen hundred and seventy-four.

A person, club or association operating under authority of a license issued as herein before provided shall not sell for food fish of a size prohibited by this chapter or by any rule or regulation made under authority thereof.

The following classes of licenses may be issued under this section: -

- (1) To any individual, a special propagator's license to possess, propagate and maintain fish at any time for the personal use of himself, his immediate family or guests; or to any club or association, or its members or guests; a special propagator's license to possess, propagate and maintain fish at any time for the purpose of fishing within waters under the control of such club or association for the personal use of the members and guests thereof.
- (2) To any individual, club or association, a special propagator's license to possess, propagate and maintain fish for the purpose of liberation into public waters, for which there shall be no fee.
- (3) To any individual, club or association, a propagator's license to possess, propagate, maintain, buy, sell or otherwise dispose of fish at any season of the year.
- (4) To any individual, a propagator's license to possess, maintain, buy, sell, offer for sale or have in possession for the purpose of sale, birds, mammals, reptiles or amphibians.
- (5) To any individual, club or association, a special propagator's license to possess birds or mammals to propagate for the purpose of liberation into covers open to public hunting, for which there shall be no fee.

(6) To any individual, a dealer's license to possess, buy, sell, or offer for sale, fish, birds or mammals lawfully taken or lawfully propagated outside the commonwealth or lawfully propagated within the commonwealth.

(7) To any individual, a license to possess but not to sell except under authority of a permit from the director, authority to issue such permits being hereby granted to the director, a bird or mammal as a pet, or for the purpose of training dogs, or a reptile or amphibian.

(8) To any individual, a license to possess, liberate and recapture, but not to sell except under authority of a permit from the director, authority to issue such permit being hereby granted to the director, up to twenty-five quail for the purpose of training dogs.

(9) To any person who successfully fulfills the license requirements as established by the director, a falconry license, for either an apprentice falconer, general or master falconer, depending upon the applicant's qualifications and testing, to keep, train and hunt with raptors in accordance with the rules and regulations established therefor, provided that when hunting, the licensee shall also possess a valid hunting or sporting license.

(10) To any person fulfilling the requirements of this license as established by the director, a raptor breeding license to possess and propagate birds of the families Accipitridae, Falconidae, Tytonidae, and Strigidae in accordance with the rules and regulations established therefor. The sport of falconry shall be permitted under this license only for the purposes of conditioning and training propagated raptors prior to their release to the wild or transfer to a falconry permittee or other use as authorized by the director.

(11) To any person fulfilling the requirements of this license as established by the director, a raptor salvage license to possess, transport, rehabilitate and release to the wild, transfer to a falconry permittee, or other use as authorized by the director, birds of the order Falconiformes, except species prohibited by federal regulations, in accordance with the rules and regulations established therefor. The sport of falconry shall be permitted under this license only for the purposes of conditioning and training rehabilitated raptors prior to their release to the wild, transfer to a falconry permittee or other use as authorized by the director.

It shall be unlawful to purchase, sell, barter or offer for sale or barter, or to have in possession for the purpose of sale or barter, any raptors licensed under clauses (9), (10) and (11) unless otherwise authorized in writing by the director, except that no raptors taken from the wild in the commonwealth shall be purchased, sold, bartered or offered for sale or barter or held in possession for such purposes.

The amounts of initial fees for licenses issued in accordance with this section and for each annual renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.



Any fish, bird, mammal, reptile or amphibian possessed, propagated, cultivated, maintained, sold, or offered for sale in violation of this section or of any rule or regulation made under authority thereof may be seized and shall be disposed of by the director of law enforcement for the best interests of the commonwealth.

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• MASS. REGS. CODE tit. 321, §2.12 - Artificial Propagation and Maintenance of Birds and Mammals

(1) Purpose and Scope. The purpose of 321 CMR 2.12 is to establish the procedural and substantive requirements for the licensing, possession, propagation, maintenance, and disposition of wild birds, mammals, reptiles and amphibians. 321 CMR 2.12 is designed to protect wild animals from unnecessary or undesirable interference and from improper treatment. 321 CMR 2.12 is also necessary for the protection of the public health, welfare and safety when wild animals are possessed, maintained or propagated in Massachusetts. However, the Division recognizes that at the present time some wild animals are being possessed, maintained, propagated or cultivated unlawfully without a license in Massachusetts. A grace period is provided to allow all persons unlawfully possessing wild animals 60 days from 6/30/95 during which licenses may be issued to possess such animals for purposes other than keeping as pets. Wild animals, regardless of whether or not they are born in captivity, often revert to their wild nature when sexually mature and can do considerable harm to persons. Furthermore, wild animals retained in captivity and dependent on humans for care may not be capable of surviving in the wild if problems arise and they are ejected by those who had attempted to care for them. The result is an animal that may suffer a lingering fate prior to death and may be a potential danger to the public. The purpose of 321 CMR 2.12 is to prevent not only the potential public menace, disease, personal injury and property damage which result when the animals are ejected, but to protect the animals from the potential for needless or unnecessary suffering as well. Thus, the scope of 321 CMR 2.12 is to regulate:

- (a) the importation, taking from the wild, possession, propagation, purchasing or receipt of protected animals intended to be kept by any person in Massachusetts;
- (b) to define specific categories for which licenses may be issued for the possession, maintenance, propagation or cultivation of protected wildlife;
- (c) to establish minimum requirements for the possession, maintenance and artificial propagation of protected animals;
- (d) to establish administrative procedures for the initial issuance and subsequent renewal of licenses, and
- (e) to otherwise implement the licensing provisions of M.G.L.c. 131, § 23.

321 CMR 2.12 is promulgated and effective in addition to and in conjunction with 7 U.S.C. § 2132 et seq. as amended, commonly known as the federal Animal Welfare Act and the licensing program of the United States Department of Agriculture. Compliance with the requirements of the United States Department of Agriculture does not exempt an applicant from compliance with 321 CMR 2.12 or other laws of Massachusetts. Thus, the issuance of the so-called federal exhibitor's permit to any person other than a zoo does not exempt that person from compliance with 321 CMR 2.12 and its licensing provisions.

2) Definitions. For the purposes of 321 CMR 2.12, the following words have the following meanings:

Animals means any undomesticated bird, mammal, reptile or amphibian, that is not the product of hybridization with a domestic form and not otherwise contained in the exemption list found at CMR 9.01.

Class 4 - Class 8 Licenses means respectively licenses issued under authority of clauses 4 through 8, M.G.L.c. 131, § 23.

Director means the Director of the Division of Fisheries and Wildlife or his agents, 100 Cambridge Street, Room 1902, Boston, MA 02202.

Educational Use means a use or uses as contained in a course of training, of any extent or duration, and which pertains to the acquisition, development, or maintenance of a person's moral, intellectual, vocational, and physical faculties, insofar as such course of training shall relate to fisheries or wildlife, and the habitats, ecological relationships, or the environment thereof.

Environmental Police Officer means the Director of the Division of Law Enforcement, deputy directors of enforcement, chiefs of enforcement, deputy chiefs of enforcement, environmental police officers, and such other enforcement officers of the Division of Law Enforcement as may be appointed pursuant to M.G.L.c. 21, § 6.

Person means an individual corporation, partnership, trust, association or other private entity or any officer, agent, department or instrumentality of the federal government or any state or its political subdivisions, including but not limited to any agency, department, board, commission or authority thereof.

Scientific Use means a use or uses concerned with the classification, formulation verification, and documentation of various natural laws, principles, and events by induction, deduction, hypothesis, and experimentation, including, but not limited to, the collection, analysis, propounding, and display of data, whether written, recorded or otherwise, and of artifacts specimens, and similar physical samples, and shall further relate generally to the physical world and its associated phenomena, and specifically to those branches of systematized knowledge categorized as zoology, botany, ecology,

wildlife management, fisheries management, medicine, and veterinary medicine, or such other skills and disciplines which shall require such use or uses.

Wild Animal Farm means a person licensed pursuant to 321 CMR 2.12(10)(d).

Zoo means a permanent site or a permanent location where a collection of living nondomesticated animals are maintained for regular exhibition to the public.

(3) Licenses. Unless otherwise provided by law, it is unlawful for any person to possess, maintain, propagate or cultivate, sell or offer to sell any animal without having a valid license issued to them by the Director in one of five classes.

(a) A class 4 propagator's license authorizes a person to possess, maintain, propagate, buy, sell or otherwise lawfully dispose of specified birds, mammals, reptiles or amphibians. A Class 4 license may, in addition and as a condition of the license, allow the liberation and recapture of bobwhite quail or ring-necked pheasant for the sole purpose of training dogs.

(b) A class 5 public stocking license (including a Class 5 special propagator's license) authorizes any individual, club or association to possess, maintain and propagate birds or mammals for the sole purpose of liberation into covers open for public hunting. A Class 5 public stocking license may be issued as a Letter Permit in accordance with M.G.L. c. 131, § 4(2) and 321 CMR 2.02 but shall otherwise conform to the requirements of 321 CMR 2.12.

(c) A class 6 dealer's license authorizes a person to possess or maintain for food purposes, and to purchase, sell, offer to sell, barter, offer to barter, or conduct commercial transactions of any nature, fish, birds, or mammals which have been lawfully imported into Massachusetts or lawfully propagated within Massachusetts, provided that dealing in fish shall be in accordance with 321 CMR 4.09. A class 6 dealer's license issued for purposes other than human food shall be issued at the discretion of the director, and the director shall not issue such permit unless, in his discretion, such permit is in the public interest and is not detrimental to the fish and wildlife resources of Massachusetts or the populations of the fish and wildlife proposed for the license, wherever found. When a fish, bird, or mammal proposed for licensing closely resembles a fish, bird, or mammal not so proposed, or for which a license may not be issued, or which derives from a source not authorized pursuant to 321 CMR 2.12(16)(a), the director may consider such similarity of appearance as constituting an adverse or detrimental effect on such protected or non-licensed fish, birds, and mammals, or on the enforcement of laws relating to the conservation and management of the same, and may deny the license on such basis.

(d) A class 7 possessor's license authorizes a person to possess and maintain, but not to propagate, sell or barter, a non-exempt bird or mammal in accordance with 321 CMR 2.12(10)(l); or a non-exempt mammal for the sole purpose of training dogs, when such mammal was lawfully possessed and held under a Class 7 license prior to December 31, 1994; or for the possession of a non-exempt reptile or amphibian. After December 31,

1994, no initial Class 7 license may be issued for the purpose of possessing a non-exempt mammal for the purpose of training dogs. A Class 7 license may be issued as a Letter Permit in accordance with M.G.L. c. 131, § 4(2) and 321 CMR 2.02 but shall otherwise conform to the requirements of 321 CMR 2.12.

(e) A dog training license (including a Class 8 quail license) authorizes a person to possess no more than 25 quail, six ring-necked pheasant, and two chukar partridge to liberate and recapture for the sole purpose of training dogs.

(4) Application. A person seeking a license provided for in 321 CMR 2.12(3) shall complete a written application on forms supplied by the Director. Completed applications shall include a self-addressed stamped envelope and be addressed to the Permit Section, Division of Fisheries and Wildlife, 100 Cambridge Street, Room 1902, Boston, MA 02202.

(5) Information and Requirements. All initial license applications shall contain the following information. Renewal license applications shall include but not be limited to 321 CMR 2.12(5)(a), (c), (f), and (g):

(a) the applicant's name, address and telephone number where he or she can be reached between the hours of 9:00 A.M. to 5:00 P.M.;

(b) the applicant's date of birth;

(c) in the event the applicant is a corporation, firm, partnership, institution or agency, either public or private, the name, address and telephone number of the president, director, head or principal officer;

(d) the location or locations where the licensed activity will be conducted;

(e) the specific source or sources from which the animals are to be obtained;

(f) the date of the application;

(g) the applicant's signature executed under the pains and penalties of perjury;

(h) for a class 4 license, accurate diagrams, models or drawings in scale or pictures depicting the precise physical conditions under which the animals will be maintained;

(i) for a commercial license requested pursuant to 321 CMR 2.12(10)(c) or (d), a signed affidavit certifying that the applicant has to the best of his or her knowledge paid all state taxes as required by the Massachusetts Department of Revenue; and Page 16 6/30/95

(j) a written plan detailing the intended activity for which the animals are to be maintained, the disposition of the animals if relevant, and other information pertinent to a full explanation and justification for the possession of the animals.

(k) for a license requested pursuant to 321 CMR 2.12(10)(a), (b), (c), (d), (f), or (g), a copy of the applicant's resume, letters of recommendation, diplomas or certificates, and such other documentary items as shall provide evidence of the applicant's qualifications, training, and experience in the activity which has been applied for.

(6) Fees. All applications and renewals shall be accompanied by the appropriate fee indicated on the application in the form of a check or money order payable to the Division of Fisheries and Wildlife. Cash may be used only when the application is made in person.

(7) Exception. Payment of fees shall not be required of any federal, state, or municipal agency or official, nor of any person under contract to the Division of Fisheries and Wildlife or otherwise involved in projects conducted or directly supervised by the Division of Fisheries and Wildlife.

(8) Abandoned Applications. Upon receipt of an incomplete application, an improperly executed application, or an insufficient fee, the applicant shall be notified of the deficiency. If the applicant fails to supply the requested information, pay the required fee or otherwise fails to correct the deficiency within 60 days following the date of notification, the application shall be considered abandoned and shall be returned to the applicant.

(9) Denials. Applications for a license provided for in 321 CMR 2.12(3), including both initial applications and renewals, shall, unless otherwise provided, be denied when:

(a) the application is for a license to possess, maintain, propagate or cultivate animals as pets except as otherwise provided for in 321 CMR 2.12(10)(h) and (10)(i);

(b) the application is for a class 4 license to possess, maintain, or propagate animals for purposes or intentions based purely on curiosity, impulse or novelty, or to provide for personal amusement or entertainment;

(c) the applicant has within one year preceding the date of application been criminally convicted of a violation of any provision of M.G.L. c. 131, c. 131A, any provision of 321 CMR, or any federal statute or federal regulation which is related to the activity for which the license is sought;

(d) the applicant has failed to disclose material information or has made false statements as to any fact in connection with the application;

(e) a prior inspection of the facilities where the animal will be possessed, maintained, propagated or cultivated by a duly authorized state or federal official has disclosed that the facilities do not meet the requirements found in 321 CMR 2.12(11) and such deficiencies have not been corrected within 30 days;

(f) the application is for a license to possess an animal in a commercial venture involving amusement or sport; or

(g) the applicant for a Class 4 license has imported into or received in Massachusetts any animal without a valid importation license as required by M.G.L. c. 131, §§ 19 and 19A, and 321 CMR 2.15; except that persons possessing animals without such a license on 6/30/95 shall be allowed a 60 day grace period from said date in which to comply.

(h) the applicant has failed to satisfy the director that his qualifications, training, and experience are sufficient to properly maintain, propagate or care for the animals in question, or to adequately provide for the safety and well-being of the public and the environment.

(i) the applicant has failed to satisfy the director that the applicant is actively engaged in the activity granted by the permit.

(j) the application is for a class 6 dealer's license other than for purposes of human food and the applicant has failed to satisfy the director that the application is in the public interest and is non-detrimental to fish and wildlife resources pursuant to 321 CMR 2.12(3)(c).

(10) Issuance. A Class 4 license may be issued only to applicants who substantially document that the intended possession, maintenance or propagation is for:

(a) an authentic and legitimate scientific use certified by officials of a generally recognized scientific institution such as museums of a zoological or biological nature, zoological or biological departments of an accredited college or university, or a public or private research institute for wildlife population or management studies;

(b) an authentic and legitimate educational use certified by zoological or biological officials of a generally recognized educational institution such as an accredited college or university or a public or private school;

(c) a commercial use in conjunction with an applicant's primary existing occupation or livelihood in Massachusetts and for which the animal is an inherently necessary and an essential element;

(d) commercial propagation of protected animals for sale other than sale as pets, which shall be issued only for those species listed in 321 CMR 2.12(11).

(e) an authentic use in conjunction with legitimate sporting events involving the training of dogs;

(f) animals held or propagated under holding agreements or in conjunction with breeding programs of established zoos licensed by the United States Department of Agriculture;

(g) captive propagation of threatened or endangered animals under the auspices of a written captive propagation program approved by both the Director and the Fisheries and Wildlife Board, when such captive propagation is in accordance with the recovery or action plans or recommendations of the International Union for the Conservation of Nature and Natural Resources, the American Association of Zoological Parks and Aquariums, or of the United States or of Massachusetts, and, in the opinion of the director will make a meaningful contribution to the ultimate survival and recovery of the animal. Such captive propagation shall be restricted to genetically pure animals of known lineage unless otherwise specified in the recovery or action plans or recommendations.

(h) the aviculture of non-exempt birds, including federally threatened and endangered species as authorized by the United States Fish and Wildlife Service, that are documented to be the product of captive propagation or that were legally held prior to the approval of 321 CMR 2.12 and are members of the following taxonomic groups: Ciconiiformes (e.g., flamingo), Anseriformes (e.g., ducks, geese, swans), Galliformes (e.g., pheasant, quail, grouse), Gruiformes (e.g., cranes, coots), Columbiformes (e.g., pigeons, doves), Psittaciformes (e.g., parrots), Piciformes (e.g., toucans), Passeriformes (e.g., songbirds). The foregoing shall not include the Wild Turkey (*Meleagris gallopavo*) or the following potential pest species: Pink Starling (*Sturnus roseus*), Red-billed Dioch including the Black-fronted and Sudan Diochs (*Quelea quelea*), and Red-whiskered Bulbul (*Pycnonotus jocosus*).

(i) the propagation of non-exempt reptiles, including federally endangered and threatened species as authorized by the United States Fish and Wildlife Service, that are documented to be the product of captive propagation or that were lawfully held prior to the approval of 321 CMR 2.12 on May 8, 1986, and are members of the taxonomic groups which include turtles and lizards, except venomous lizards in the genus *Heloderma*;

(j) the propagation, maintenance, possession, purchase, and sale of American bison (*Bison bison*) for purposes other than as a pet, when in compliance with provisions of M.G.L. c. 129 and other requirements of the Department of Food and Agriculture;

(k) the training of animals to aid the handicapped; or

(l) any protected animal lawfully possessed prior to July 1, 1980.

(11) Commercial Propagation - Allowable Species. Only the following species or groups of species may be commercially propagated:

(a) fallow deer (*Cervus dama*);

(b) red deer (*Cervus elaphus*);

(c) sika deer (*Cervus nippon*);

- (d) reindeer (*Rangifer tarandus*);
- (e) American bison (*Bos bison*);
- (f) aoudad (Barbary sheep) (*Ammotragus lervia*);
- (g) mouflon (*Ovis musimon*);
- (h) red fox (*Vulpes vulpes*), including silver fox, cross fox, and color variants thereof;
- (i) Arctic fox (*Alopex lagopus*);
- (j) cassowaries (*Casuariidae*);
- (k) emus (*Dromiceidae*);
- (l) rheas (*Rheidae*);
- (m) ostriches (*Struthionidae*);
- (n) pheasants, quail, partridges (*Phasianidae*);
- (o) waterfowl (*Anseriformes*);
- (p) American alligator (*Alligator mississippiensis*); and
- (q) federally endangered and threatened species of those groups listed in (11), when approved by the U.S. Fish and Wildlife Service and the Director.

(12) Exemption. Licensed veterinarians temporarily treating sick and injured animals are exempt from the licensing requirements provided that:

- (a) accurate records are kept on forms provided by the Director and submitted annually not later than January 31; and
- (b) the Director is notified immediately of the presence of any endangered, threatened or special concern species listed pursuant to the U.S. Endangered Species Act or to 321 CMR 10.60.

(13) Temporary Possession Permit. Persons may temporarily possess animals in Massachusetts provided a temporary possession permit is obtained from the Division. The applicant shall supply the Division with the dates, times and locations where the animals will be possessed, the purposes of the temporary possession, a list of the animals being temporarily possessed and the dates of their removal. For the purposes of 321 CMR 2.12, a temporary possession permit may also be issued to a wild animal farm or a zoo for exhibiting animals off the premises of such farm or zoo.



(14) Grace Period. Persons presently possessing, maintaining, propagating or cultivating animals other than as pets, without a valid license or otherwise unlawfully, will be allowed a 30 day grace period from 6/30/95 in which applications for a license may, if submitted in accordance and in compliance with 321 CMR 2.12 and within the 30 day period, be approved and issued by the Director.

(15) Inspections. Upon submission of a properly completed application for a Class 4 license to be issued pursuant to 321 CMR 2.12(3) or for a wildlife rehabilitation permit issued under authority of M.G.L. c. 131, § 4, clause 2, and all required supporting documentation, an Environmental Police Officer or an official of the Division of Fisheries and Wildlife, or both, shall inspect the facilities to be used by the applicant for the maintenance of the following animals: any mammal in the order Carnivora (wild cats, wolves, bears, raccoons, weasels, and others); any mammal in the order Proboscidea; any mammal in the families Cervidae (deer, elk, and others) and Bovidae (bison, antelope, etc.); any bird in the orders Casuariiformes (emus), Rheiformes (rheas) and Struthioniformes (ostriches); and any venomous reptiles. If, upon receiving a properly completed application for a Class 4 license for any other species, the Director determines that an inspection of the applicant's facilities is in the public interest, he may cause such inspection to be made by an official of the Division or an Environmental Police Officer or both. An applicant's facilities, whether or not inspected as provided in 321 CMR 2.12(15), shall meet the following minimum requirements:

(a) animals shall be kept in approved enclosures under conditions that give the licensee exclusive control over them at all times and at the location(-s) to be designated in the license, except as otherwise provided by law or the Director;

(b) approved enclosures shall be designed so as to provide adequate physical comfort to the animal and shall:

1. keep the animal clean and dry, except for those species requiring a moist environment;
2. maintain an ambient temperature compatible with the animal's needs;
3. keep the animal in complete and continuous captivity;
4. restrict the entry of unauthorized persons or predatory animals;
5. provide access to clean food and fresh water in clean containers; and
6. sufficient fresh food and water fulfilling the animal's dietary requirements shall be made available and shall be presented in a manner compatible with the animal's particular eating habits;

(c) maintain all enclosures in a sanitary condition and in good repair;

(d) have equipment available for proper storage and disposal of waste material to control vermin, insects and obnoxious odors;

(e) take effective measures to prevent and control infection and infestation of the animal and premises with disease, parasites and vermin;

(f) provide adequate shelter for the comfort of the animal and adequate facilities, when necessary, for isolation of diseased animals;

(g) if animals are group housed, maintain animals in compatible groups without overcrowding;

(h) ensure the enclosures are adequately designed to minimize any potential danger to the public, or to the licensee;

(i) in the case of venomous reptiles, arrange for antivenin to be readily available through a local hospital, the name, address and telephone number of which shall be affixed to the enclosure; and

(j) provide for the maintenance or disposition of all animals in case of the licensee's absence, illness, or death.

(k) comply with any special conditions or restrictions as stipulated by the Director, pursuant to 321 CMR 2.12(16).

(16) Restrictions. Applications for a license issued pursuant to 321 CMR 2.12(3) shall comply with the following restrictions.

(a) Animals may be procured in the following manner only:

1. lawfully propagated, harvested, or taken outside of Massachusetts; or

2. lawfully propagated within Massachusetts; and

3. unless otherwise provided for by the Director, animals taken from the wild within Massachusetts may not be propagated, cultivated or maintained for purposes of sale pursuant to M.G.L. c. 131, § 23.

b) Birds and mammals possessed and maintained under authority of a class 5 license shall be liberated into the wild within one year under the supervision of and in covers approved by the Director.

(c) Birds and mammals sold for food purposes must first be killed and to each carcass or part thereof shall be attached a tag furnished by the Director at a cost to the licensee established by the Department of Administration and Finance. This tag shall remain on the carcass or any portion thereof until the bird or mammal is prepared for consumption

(17) Conditions. The Director may at any time, in writing, establish conditions or restrictions to a license issued pursuant to 321 CMR 2.12(3) if, in his opinion, the conditions or restrictions are necessary for the preservation and protection of the health, welfare or safety of the citizens of Massachusetts or of the animal.

(18) Agreement. All licenses issued pursuant to 321 CMR 2.12(3) shall be signed by the licensee and such signature shall constitute:

(a) an agreement by the licensee to fully comply with all relevant provisions of law including but not limited to M.G.L. c. 131, c. 131A, 321 CMR, and all applicable conditions and restrictions of the license;

(b) an agreement by the licensee to allow inspections at reasonable times of the premises where the animals are kept by the Director or by an Environmental Police Officer of the Division of Law Enforcement; and

(c) liability agreement.

(19) Amendments. Class 4 license holders shall submit to the Director in writing any change in protected animal stock covered by a pending application or a current license. No change in protected animals, except in the instance of animals giving birth, held under authority of a class 4 license may be made until an appropriate amendment covering such change in stock is approved by the Director. All such requested amendments and modifications shall be subject to the provisions of 321 CMR 2.12.

(20) Records. Licensees shall keep and maintain for no less than two years accurate records on forms supplied by the Division of all animals possessed and maintained under authority of a license. Said records shall be made available to the Director or to an Environmental Police Officer upon request.

(21) Renewal. Applications for renewal of any license authorized to be renewed:

(a) shall be filed with the Division no later than December 31 of each year;

(b) shall contain any change in protected animals to be maintained;

(c) shall be subject to the provisions of 321 CMR 2.12 and relevant provisions of M.G.L. c. 131; and

(d) are subject to M.G.L. c. 30A, § 13, and 801 CMR 1.00 in the event a renewal is denied.

(22) Suspension or Revocation. Licenses issued pursuant to 321 CMR 2.12 may be suspended or revoked in accordance with the relevant provisions of M.G.L. c. 30A and 801 CMR 1.00 for:

- (a) a violation of any provision of M.G.L. c. 131 or c. 131A;
- (b) a violation of any provision of 321 CMR;
- (c) a violation of any federal statute or regulation which is related to the activity for which the license has been obtained;
- (d) a violation of any condition or restriction of the license; or
- (e) upon the request of any Environmental Police Officer if it is determined that the licensee's operation causes an unnecessary threat to the public health, welfare or safety or is not in the best interest to the animal.

(23) Effect of Suspension, Revocation, or Non-Renewal. In the event a license is suspended, revoked or not renewed, the licensee shall dispose of the animals within 60 days in a manner required by the Director or in a manner provided for by the licensee with the approval of the Director.

(24) Prohibitions. It is unlawful for any person:

- (a) to import, possess, maintain, propagate or have custody of in Massachusetts any animal without a valid license issued pursuant to 321 CMR 2.12 or 2.15;
- (b) to falsify any license application or renewal, provide false documentation in support of a license application or renewal or fail to provide relevant and material information regarding a license application or renewal;
- (c) to refuse to allow reasonable inspections of the premises where the animals are kept at reasonable times by any Environmental Police Officer or by the Director;
- (d) who is a veterinarian to fail to keep accurate records of the treatment of an animal or to falsify such records;
- (e) who is a veterinarian to fail to notify the Director immediately of the presence of any endangered, threatened or special concern species;
- (f) to keep and maintain any animal in a condition or under conditions which do not comply with provisions of 321 CMR 2.12(15)(a) through (k);
- (g) to import, possess or purchase any animal which was propagated unlawfully in or out of Massachusetts;
- (h) not to liberate into the wild within one year birds and mammals possessed and maintained under authority of a class 5 license;

(i) to liberate into the wild birds and mammals possessed and maintained under authority of a class 5 license without the Director or his agent being present or provided such opportunity, or into covers not otherwise approved by the Director;

(j) to sell a bird or mammal for food purposes which has not been killed first and affixed with a tag furnished by the Director;

(k) to remove any tag which has been affixed to the carcass of a bird or mammal sold for food purposes at any time other than immediately prior to preparation for consumption;

(l) to violate any condition or restriction of a license issued prior to 321 CMR 2.12;

(m) not to provide the Director with written notification of a change in protected animal stock which is covered by a pending application or a current license;

(n) not to maintain for at least two years accurate records of all animals maintained and possessed or to falsify any such record or to refuse to provide such records upon request to any Environmental Police Officer or the Director;

(o) to refuse or fail to comply with a disposal order of the Director issued pursuant to 321 CMR 2.12(23).

(25) Grandfather Clause. A person licensed as a Class 4 propagator on May 1, 1995 who is commercially propagating animals pursuant to 321 CMR 2.12(10)(d) and, in addition, who is propagating animals not listed in 321 CMR 2.12(11), shall be allowed to continue propagation of such animals at the same site and of the same numbers of animals as on May 1, 1995, provided that a person so propagating white-tailed deer shall be allowed to propagate only the individual deer in possession on May 1, 1995, and such deer shall not be replaced when dead. Permittees shall comply with all other provisions of 321 CMR 2.12.

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• MASS. REGS. CODE tit. 321, §9.01 - Exemption List

Pursuant to the authority granted in M.G.L. c. 131, § 23, herewith is established a list of species which are exempt from the licensing provisions of M.G.L. c. 131, § 23. This list includes wild (i.e., non-domesticated) vertebrate animals which may be imported, sold or possessed without a permit. Note, however, that listing below does not affect other licensing requirements which may be applicable under Federal, State or local laws, including special endangered species and export restrictions of other states.

(1) Purpose. The purpose of 321 CMR 9.01 is to list those species which are exempt from the licensing provisions of M.G.L. c. 131, § 23, and which may be imported, possessed, maintained, propagated, bought, sold, exchanged or offered for sale without a license or

permit from the Division. Species not listed, or which are expressly listed as "require(s) a permit", are not exempt from the provisions of M.G.L. c. 131, § 23.

(2) Definitions. For the purposes of 321 CMR 9.01 and unless the context requires otherwise, the following words or phrases shall have the following meanings:

Aquarium means an enclosed indoor facility or an outdoor holding facility that lacks an inlet or outlet, or such other holding facility as approved by the Director.

Aquarium Trade Fish means those freshwater fish which cannot survive year-round in a wild environment above 30x north latitude (approximately from Jacksonville, FL west to Ensenada, CA) or below 30x south latitude (approximately from Puerto-Alegre, Brazil west to La Serena, Chile). Notwithstanding the foregoing, aquarium trade fish shall also include the goldfish (*Carassius auratus*), koi or Japanese carp (*Cyprinus carpio*), and guppies (*Poecilia* spp.), but shall not include tilapia (*Tilapia* spp.) which require a permit.

Director means the Director of the Division of Fisheries and Wildlife or his authorized agent. Division means the Massachusetts Division of Fisheries and Wildlife, with principal offices at 100 Cambridge Street, Leverett Saltonstall Building, Room 1902, Boston, MA 02202 (tel. 617-727-3151).

Domestic or domesticated means those species listed as domestic pursuant to 321 CMR 9.02(3).

Exempt or kept without a permit means that the animal may be imported, possessed, maintained, propagated, bought, sold, exchanged, or offered for sale or exchange without a license or permit.

License or permit means a license or permit issued pursuant to the authority of M.G.L. c. 131, § 23.

Non-exempt or require(-s) a permit means that the animal may not be imported, possessed, maintained, propagated, bought, sold, exchanged, or offered for sale or exchange except by a person holding a current and valid license or permit.

Person means any individual, partnership, profit or non-profit corporation, firm, business, or other commercial or non-commercial entity, club, organization, or association.

Species means an individual or individuals of any distinct non-domestic vertebrate animal population whose members interbreed when mature or are self-perpetuating through the production of viable offspring and can include any subspecies or variety of vertebrate animal.

(3) Categorical Non-exemptions. No species in any of the following categories may be exempted:

(a) Threatened or endangered species listed pursuant to the U.S. Endangered Species Act of 1973, as amended.

(b) Species listed in the Red Book(-s) of the International Union for the Conservation of Nature.

(c) Species appearing on the Massachusetts list of endangered, threatened, and special concern species at 321 CMR 10.60.

(4) Exemption Criteria. Animals exempted below are believed to meet the following criteria:

(a) Accidental release of the fish, amphibian, reptile, bird, or mammal will not result in an adverse effect on the ecology of the state.

(b) The animal in captivity, or escaped therefrom, poses no substantial danger to humans, either by injury or disease.

(c) Proper care of the animal is no more demanding in any major respect than proper care of domestic animals.

(d) Trade in the fish, bird, mammal, reptile or amphibian has no significant adverse effect on the wild population of such animal in any of its native habitats.

(5) Sources of Acquisition. Except as provided in 321 CMR 3.05, exempt animals may be obtained from the following sources only:

(a) lawfully propagated within Massachusetts, or

(b) lawfully taken or lawfully propagated without Massachusetts, provided that the export, sale, or exchange of such animals is lawful in the state or country in which animals are taken or propagated.

(6) Liberation. No person shall liberate or cause to be liberated any exempt animal, except in accordance with a liberation permit issued pursuant to 321 CMR 2.15.

(7) Quarantine. Notwithstanding the provisions of 321 CMR 9.01(1), the Director may examine, quarantine and destroy exempt animals and may restrict or prohibit the importation thereof in accordance with the provisions of M.G.L. c. 131, §§ 19, 19A, 25A, and 25B, and the penalty for violation of such quarantine shall be as provided in M.G.L. c. 131, § 25C.

(8) List of Fish. All aquarium trade fish may be kept without a permit except species categorically non-exempt pursuant to 321 CMR 9.01(3), and except that the following species are prohibited without a permit:

(a) Grass Carp or White Amur (*Ctenopharyngodon idella*)

(b) Piranha (*Pygocentrus* spp. and *Serrasalmus* spp.)

(c) Rudd (*Scardinius erythrophthalmus*)

(d) Walking Catfish (*Clarias* spp. and all members of the family Clariidae).

Notwithstanding the above, the fathead minnow (*Pimephales promelas*) and the blunt-nose minnow (*Pimephales notatus*) may be kept without a permit as a pet or for sale as a pet, but require a permit when sold as bait fish pursuant to 321 CMR 4.09.

(9) List of Amphibians. All amphibians may be kept without a permit except species categorically non-exempt pursuant to 321 CMR 9.01(3).

(10) List of Reptiles.

(a) Turtles: all species of turtles may be kept without a permit, except:

1. species categorically non-exempt pursuant to 321 CMR 9.01(3).

2. Argentina or Chaco Tortoise (*Geochelone chilensis*).

3. Gopher tortoises (*Gopherus polyphemus*) and all other species in the genus *Gopherus*.

4. Pancake Tortoise (*Malacochersus tornieri*).

(b) Snakes: All venomous snakes require a permit. The following snakes may be kept without a permit:

1. All species of boas and pythons (family Boidae), except those species categorically non-exempt pursuant to 321 CMR 9.01(3), and except the Emerald Tree Boa (*Corallus caninus*), Green Tree Python (*Chondropython* spp.), African Rock Python (*Python sebae*), Reticulated Python (*Python reticulatus*) and all species of Anaconda (*Eunectes* spp.), which require a permit.

2. Shield-tailed Snakes, Sunbeam Snakes, and others in the families Uropeltidae and Xenopeltidae.

3. Worm Snakes, Thread Snakes, and others in the families Typhlopidae, Leptotyphlopidae, and Anomalepididae.

4. Snakes of the family Colubridae, as follows: Asian Rat Snakes (*Elaphe* spp. and *Ptyas* spp. and *Zaocys* spp.) Bogetophis spp. Brown and Redbelly Snakes (*Storeria* spp.) Diadem Snakes (*Spalerosophis* spp.) Garter and Ribbon Snakes (*Thamnophis* spp.) Glossy Snakes (*Arizona* spp.) Gopher and Pine Snakes (*Pituophis* spp.) Green Snakes (*Ophedryx* spp.) Ground Snakes (*Sonora* spp.) House Snakes (*Boaedon* [*Lamprophis*])



spp.) Kingsnakes and Milk Snakes (*Lampropeltis* spp.) North American Rat Snakes (*Elaphe* spp.) except the Black Rat Snake (*E. o. obsoleta* other than albinistic and leucistic individuals) which requires a permit. *Pseudaspis* spp. *Pseustes* spp. Texas Indigo Snake (*Drymarchon corais erebennus*) Tropical Rat Snakes (*Spilotes* spp.) Water Snakes (*Nerodia [Natrix]* spp.) Western Hognose Snake (*Heterodon nasicus*)

(c) Lizards: All chameleons (*Chameontidae*), the Gila Monster and Beaded Lizard (*Heloderatidae*), and all Monitors (*Varanidae*) require a permit. The following lizards may be kept without a permit:

1. All Skinks (*Scincidae*) except for the following which require a permit: Species categorically non-exempt pursuant to 321 CMR 9.01 (3). Florida Sand Skinks (*Neoseps* spp.) Solomon Island Ground Skink (*Tribolonotus* spp.)
2. The following Girdle-tailed Lizards (*Cordylidae*) may be kept without a permit: False Club-tailed Lizards (*Pseudocordylus* spp.) Girdle-tailed Lizards (*Cordylus* spp.) Plated Lizards (*Gerrhosaurus* spp.) Rock Lizards (*Platysaurus* spp.) *Zonosaurus* spp.
3. All Teiids (*Teiidae*) may be kept without a permit except for the following which require a permit: Species categorically non-exempt pursuant to 321 CMR 9.01(3). Brown Water Teiids (*Neusticurus* spp.) *Dicrodon* spp. Earless Teiids (*Bachia* spp.) Rough Teiids (*Echinosaura* spp.) Snake Teiids (*Ophiognomon* spp.) Spectacled Teiids (*Gymnophthalmus* spp.) Worm Teiids (*Scolacosaurus* spp.)
4. The following Lacertid Lizards (*Lacertidae*) may be kept without a permit: *Acanthodactylus* spp. *Gallotia* spp. *Lacerta* spp. *Podarcis* spp. *Psammodromus* spp.
5. The following Lateral-fold Lizards (*Anguinae*) may be kept without a permit: Alligator Lizards (*Gerrhonotus* spp.) Glass Lizards (*Ophisaurus* spp.) Slowworm (*Anguis* spp.)
6. All Gekkos (*Gekkonidae*) may be kept without a permit except: Species categorically non-exempt pursuant to 321 CMR 9.01(3) and the Big Bend Gekko (*Coleonyx reticulatus*) which require a permit.
7. The following Iguanid Lizards (*Iguanidae*) may be kept without a permit: Basilisks (*Basiliscus* spp.) Collared and Leopard Lizards (*Crotaphytus* spp.) Page 90 3/22/96 Common or Green Iguanas (*Iguana i. iguana*) False or Spring-tailed Iguanas (*Ctenosaurus* spp.) *Liolaemus* spp. New World Chameleons (*Anolis* spp. and *Ctenopus* spp.) Spiny Lizards (*Sceloporus* spp.) Tree and Bush Lizards (*Urosaurus* spp.) *Uranoscodon* spp. Zebra-tailed Lizards (*Callisaurus* spp.)
8. The following Agamid Lizards (*Agamidae*) may be kept without a permit: *Amphibolorus* spp. *Calotes* spp. *Hydrosaurus* spp. *Pogona* spp. Water Dragon (*Physignathus* spp.)

9. Night Lizards (Xantusidae): All Night Lizards (*Xantusia* spp.) may be kept without a permit, except for the Utah Night Lizard (*Xantusia virgilis utahensis*) which requires a permit.

(11) List of Birds.

(a) The following groups of birds are prohibited without a permit:

1. Species categorically non-exempt pursuant to 321 CMR 9.01(3).
2. Migratory birds listed in the Code of Federal Regulations, 50 CFR 10.13.
3. Any other bird native to the United States and Canada.

(b) Except for species listed in 321 CMR 9.01(11)(a), the birds or groups of birds may be kept without a permit:

1. Blue or Button Quail (*Coturnix chinensis*)
2. Columbidae (pigeons and doves)
3. Estrildidae (Waxbills and allies)
4. Fringillidae (Finches and allies)
5. Ploceidae (Weaver Finches except the Red-billed, Black-fronted, and Sudan Diochs (*Quelea quelea*) which require a permit.
6. Psittacidae (parrots and their allies)
7. Ramphastidae (Toucans, Aracaris, and Toucanets)
8. Sturnidae (Starlings and Mynahs, except the Rose-colored Starling (Pink Starling or Rosy Pastor) (*Sturnus roseus*) which requires a permit.

(12) List of Mammals.

(a) The following mammals may be kept without a permit:

1. Four-toed (African pygmy) hedgehog (*Erinaceus albiventris* (= *Atelerix pruneri*)
2. Chinchilla (*Chinchilla* spp.) derived from captive stock.
3. Deer Mouse and White-footed Mouse (*Peromyscus maniculatus* and *P. leucopus*)
4. Degu (*Octodon degus*)

5. Egyptian Spiny Mouse (*Acomys cahirinus*)
6. House Mouse (*Mus musculus*)
7. Jerboas (*Dipus* spp.)
8. Norway Rat (*Rattus norvegicus*)
9. Paca (*Cuniculus* spp.)
10. Southern Flying Squirrel (*Glaucomys volans*)
11. Striped hamster (*Cricetulus barabensis*), also known as the Chinese or Siberian dwarf hamster. NOTE: the golden hamster (*Mesocricetus auratus*) may be kept without a permit pursuant to 321 CMR 9.02.

## **Michigan**

- MICH. COMP. LAWS §287.731 - Importation of species having potential to endanger life or property prohibited; importation of wild or exotic animals; requirements and prohibitions

Sec. 31. (1) Any species having the potential to spread serious diseases or parasites, to cause serious physical harm, or to otherwise endanger native wildlife, human life, livestock, domestic animals, or property, as determined by the director, shall not be imported into this state.

(2) A prior entry permit shall be obtained from the director for a wild animal or exotic animal species not regulated by the fish and wildlife service of the United States department of interior or the department of natural resources of this state.

(3) The director may require compliance with any or all of the following prior to the importation of a wild animal or an exotic animal species not regulated by the fish and wildlife service of the United States department of interior or the department of natural resources of this state:

(a) Physical examination by an accredited veterinarian be conducted after importation to determine the health status, proper housing, husbandry, and confinement of any animal permitted to enter this state.

(b) Negative test results to specific official tests required by the director within a time frame before importation into this state as determined by the director.

(c) Identification prior to importation in a manner approved by the director.

(4) An official interstate health certificate or official interstate certificate of veterinary inspection signed by an accredited veterinarian from the state of origin shall accompany all wild animal or exotic animal species imported into this state. The official interstate health certificate or official interstate certificate of veterinary inspection shall comply with all the requirements of section 20 (1)(a), (b), (c), (d), (e), and (f).

(5) A wild animal or exotic animal species permitted to enter this state shall receive housing, feeding, restraining, and care that is approved by the director.

(6) A person shall not import or release live feral swine or any crosses of feral swine in this state for any purpose without permission from the director.

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• MICH. COMP. LAWS §287.1001. Short title.

Sec. 1. This act shall be known and may be cited as the "wolf-dog cross act" and is enacted in memory of Angie Nickerson.

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• MICH. COMP. LAWS §287.1002. Definitions.

Sec. 2. As used in this act:

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

(d) "Dog" means an animal of the species *Canis familiaris* or *Canis lupus familiaris*.

(e) "Expert on wolf-dog cross identification" means an individual who has, cumulatively, at least 10 years of training and field experience in wolf and wolf-dog cross behavioral and morphological characteristics and who is recognized as an expert at the state and national levels by others in the same field.

(f) "Facility" means an indoor or outdoor cage, pen, or similar enclosure where a wolf-dog cross is kept.

(g) "Law enforcement officer" means:

(i) A sheriff or sheriff's deputy.

(ii) A village or township marshal.

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

(iv) An officer of the Michigan state police.

(v) A peace officer who is trained and certified under the commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.616.

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

(vii) An animal control officer.

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

(h) "Livestock" means that term as defined in section 5 of the animal industry act of 1987, 1988 PA 466, MCL 287.705.

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

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

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

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

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

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

(o) "Wolf" means an animal of the species *Canis rufus* or *Canis lupus*, but does not include an animal of the species *Canis lupus familiaris*.

(p) "Wolf-dog cross" means a canid resulting from the breeding of any of the following:

(i) A wolf with a dog.

(ii) A wolf-dog cross with a wolf.

(iii) A wolf-dog cross with a dog.

(iv) A wolf-dog cross with a wolf-dog cross.

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• MICH. COMP. LAWS §287.1003. Prohibited conduct; exception; rebuttable presumption in civil forfeiture proceeding; method of representation.

Sec. 3. (1) A person shall not do any of the following:

(a) Possess a wolf-dog cross except in compliance with this act.

(b) Breed a wolf-dog cross.

(c) Subject to subsection (2), transfer ownership or possession of or receive a transfer of ownership or possession of a wolf-dog cross, with or without remuneration.

(d) Subject to subsection (2), transfer ownership or possession of a canid, with or without remuneration, if the person has represented to the transferee that the canid is a wolf-dog cross or offer or advertise to transfer ownership or possession of a canid, with or without remuneration, representing the canid to be a wolf-dog cross.

(e) Subject to subsection (2), receive a transfer or offer to receive a transfer of ownership or possession of a canid, with or without remuneration, if the owner of the canid has represented to the person that the canid is a wolf-dog cross.

(2) Subsection (1)(c), (d), and (e) do not apply to the temporary transfer of possession of a wolf-dog cross under section 4(1)(a) or any other transfer of possession or ownership of a wolf-dog cross expressly authorized or required by this act.

(3) In a civil forfeiture proceeding under this act, there is a rebuttable presumption that a canid is a wolf-dog cross if the current owner represents or has represented that the canid is a wolf-dog cross or if a previous owner transferred ownership or possession of the canid to the current owner, with or without remuneration, representing it to be a wolf-dog cross.

(4) For the purposes of this section, a representation may be by advertisement, registration paper, or any other method.

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• MICH. COMP. LAWS §287.1004. Possession of wolf-dog crosses; conditions; permit requirements.

Sec. 4. (1) A person shall not possess 1 or more wolf-dog crosses unless all of the following apply:

(a) The person owns the wolf-dog crosses or has temporarily been given possession of the wolf-dog crosses by the owner.

(b) The owner was in possession of those individual wolf-dog crosses on the effective date of this act.

(c) The owner applies for a permit for those wolf-dog crosses within 4 months after the effective date of this act, and obtains a permit for those wolf-dog crosses. The permit applies only to those individual wolf-dog crosses. The permit is not transferable to another person except through testate or intestate succession. The permit is valid in any local unit in which the possession of the wolf-dog cross is not prohibited by ordinance.

(2) A person shall file an application for a permit with the person specified by the first of the following subdivisions that applies:

(a) If the wolf-dog crosses are kept in a city or village and the city or village employs an animal control officer, with the city or village agency to which the animal control officer is assigned.

(b) If the wolf-dog crosses are kept in a township and the township employs an animal control officer, with the township agency to which the animal control officer is assigned.

(c) If the county in which the wolf-dog crosses are kept employs an animal control officer, with the county agency to which the animal control officer is assigned.

(d) If subdivisions (a), (b), and (c) do not apply, with the county sheriff of the county where the wolf-dog crosses are kept.

(3) An applicant for a permit shall include with the application all of the following:

(a) An annual permit fee. The annual permit fee shall be established by the governing body of the local unit whose agency issues the permit under subsection (2) and shall be not less than the greater of the following 2 amounts:

(i) Twenty-five dollars, or at the option of the local unit if the applicant keeps more than 1 wolf-dog cross in that local unit, \$25.00 for each wolf-dog cross.

(ii) An amount necessary to cover the local unit's actual, reasonable costs of enforcing this act.

(b) A written statement that does all of the following:

(i) Specifies the number of wolf-dog crosses owned by the applicant.

(ii) Describes in detail each wolf-dog cross owned by the applicant, including, but not limited to, its identification number required under section 5.

(iii) Specifies the name, address, and telephone number of the person from whom the owner obtained the wolf-dog cross, if known.

- (c) A certificate signed by a veterinarian that the wolf-dog cross has been sexually sterilized.
- (4) A local unit shall not issue a permit unless it finds that all of the following apply:
  - (a) The requirements of subsections (1), (2), and (3) are met.
  - (b) The applicant is 21 years of age or older.
  - (c) The applicant has not been convicted of or found responsible for violating a local ordinance or state law prohibiting neglect or mistreatment of an animal and has not within the past 10 years been convicted of a felony.
  - (d) The applicant is not subject to a court order requiring the forfeiture of a wolf-dog cross or prohibiting the ownership or possession of a wolf-dog cross.
  - (e) The facility and the conditions in which each wolf-dog cross will be kept comply with this act.
  - (f) The applicant is knowledgeable about the wolf-dog cross's disposition and care requirements.
- (5) A permit shall set forth all of the following:
  - (a) The name and address of the permit holder and the address where each wolf-dog cross will be kept, if different from that of the permit holder.
  - (b) The number of wolf-dog crosses owned by the permit holder.
  - (c) The identification number of each wolf-dog cross required under section 5.
  - (d) The name, address, and signature of the veterinarian who is expected to provide veterinary care to the wolf-dog cross.
  - (e) Any other reasonable information as determined by the local unit, which may include, but need not be limited to, a designation of permits required by a local unit, the department, the department of community health, the department of natural resources, the United States department of agriculture, or the fish and wildlife service of the United States department of the interior.
- (6) A local unit that issues a permit shall notify the department of the name and address of the permit holder and the number of wolf-dog crosses owned by the permit holder.
- (7) The owner of a wolf-dog cross shall annually pay the local unit the annual permit fee established under subsection (3)(a).



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• MICH. COMP. LAWS §287.1005. Placement of identification number via subcutaneous microchip.

Sec. 5. The owner of a wolf-dog cross shall have an identification number placed in the wolf-dog cross via subcutaneous microchip, at the expense of the owner, by or under the supervision of a veterinarian.

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• MICH. COMP. LAWS §287.1006. Keeping wolf-dog cross in facility; requirements; exceptions.

Sec. 6. (1) A wolf-dog cross shall not be tethered outdoors, such as on a leash or chain, or allowed to run at-large. Except as otherwise provided in this section or section 7, a wolf-dog cross shall be constantly kept in a facility that meets all of the following requirements:

(a) Is sufficiently secure to prevent the wolf-dog cross's escape and protect the wolf-dog cross from injury.

(b) Is constructed of cement blocks, bricks, concrete, chain link fence, wires, or bars of a suitable thickness, gauge, or diameter to prevent the wolf-dog cross's escape and to protect the wolf-dog cross from injury.

(c) Has an entrance with a lock that is kept locked at all times when the wolf-dog cross is kept in the facility.

(d) Is well-braced and securely anchored at ground level or, if the facility is located in a residence or other building, at floor level and utilizes metal clamps, ties, or braces of a strength sufficient for cage construction for the wolf-dog cross.

(e) Is enclosed within a secondary fence that is located at least 3 feet outside of the walls of the facility and is adequate to prevent a human from coming into contact with the wolf-dog cross.

(f) Has a floor area of at least 900 square feet, plus an additional 450 square feet for each wolf-dog cross in excess of 1 kept in the facility. A permitting agency may grant a variance allowing a reduced floor area upon a showing that the requirements of this subdivision impose a practical difficulty on the owner and that the reduced floor area is sufficient to maintain the wolf-dog cross in a good state of health.

(2) The owner or person temporarily in possession of a wolf-dog cross may keep the wolf-dog cross in the person's dwelling and not in a facility if the wolf-dog cross is under the supervision of a person 21 years of age or older.

(3) The owner or person temporarily in possession of a wolf-dog cross may take the wolf-dog cross outdoors if 1 of the following applies:

(a) The wolf-dog cross is being used to pull a sled and the person has the wolf-dog cross under control on a secure harness.

(b) The wolf-dog cross is being exercised by the person, and the person holds the wolf-dog cross under control on a secure leash that is not more than 6 feet long.

(c) The wolf-dog cross is being allowed to exercise in a fenced area on private property with the permission of the property owner and the owner of the wolf-dog cross or the person temporarily in possession of the wolf-dog cross is present.

(d) The person holds the wolf-dog cross under control on a secure leash that is not more than 6 feet long and the wolf-dog cross is being moved between any 2 of the following:

(i) A facility.

(ii) The dwelling of the person, pursuant to subsection (2).

(iii) A shift cage, pursuant to subsection (4).

(iv) A vehicle, pursuant to section 7.

(v) A veterinarian's office or veterinary hospital.

(4) A wolf-dog cross may be kept in a shift cage while the wolf-dog cross's facility is being cleaned. The shift cage shall be of a size appropriate for the wolf-dog cross and of a construction adequate to safely contain the wolf-dog cross.

(5) The owner or, except with respect to subdivisions (a) and (b), the person temporarily in possession of a wolf-dog cross shall do all of the following:

(a) Present a permit for the wolf-dog cross upon the request of a law enforcement officer.

(b) Post and maintain signs on property on which the wolf-dog cross is kept stating "A potentially dangerous wolf-dog cross is kept on this property." Each sign shall utilize block letters at least 1/2 inch high. A sign shall be posted as follows:

(i) At each fence gate providing access to a residence on the property, providing access to a building in which the wolf-dog cross's facility is located, or providing access to the facility.

(ii) On the outside of each door providing access to a residence on the property or providing access to any building in which the wolf-dog cross's facility is located.

(iii) On each side of the wolf-dog cross's facility, unless the facility is located in a residence or other building.

(c) Not place the wolf-dog cross under the supervision of a person less than 21 years of age.

(d) Not mistreat or neglect the wolf-dog cross or permit it to be mistreated or neglected.

(e) Ensure that the conditions in which the wolf-dog cross is kept, including, but not limited to, the following, are safe and conducive to the wolf-dog cross's physical health and comfort and promote normal behavior:

(i) Temperature.

(ii) Ventilation.

(iii) Humidity.

(f) Provide the wolf-dog cross with sufficient food, water, shelter, sanitary conditions, and exercise to maintain the wolf-dog cross in a state of good health.

(g) Ensure that the wolf-dog cross receives from a veterinarian, at the owner's expense, an annual checkup, including vaccinations, and other necessary medical care. The owner of a wolf-dog cross shall maintain copies of the wolf-dog cross's veterinary records and present the records upon request of a law enforcement officer.

(h) When the wolf-dog cross dies, arrange to have the death certified in writing by a veterinarian, law enforcement officer, or the permitting agency. The veterinarian, law enforcement officer, or permitting agency shall submit the certification to the department within 20 business days after the death.

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• MICH. COMP. LAWS §287.1007. Transportation.

Sec. 7. A person transporting a wolf-dog cross in a vehicle shall comply with the standards in International Air Transport Ass'n., Live Animal Regulations (26th ed., 1999) applicable to a dog. In addition, a person transporting a wolf-dog cross in a vehicle shall comply with all of the following requirements:

(a) The wolf-dog cross shall be individually and securely caged, even while inside a passenger vehicle or in the bed of a truck. However, a female wolf-dog cross and each of her unweaned pups, if any, shall be transported in the same cage.

(b) The vehicle shall provide fresh air without injurious drafts and provide adequate protection from the elements to the wolf-dog cross.

(c) The wolf-dog cross's cargo area shall be as free as possible of engine exhaust fumes.

(d) Fecal and food wastes shall be removed from the wolf-dog cross's transport cage on at least a daily basis.

(e) The temperature within the wolf-dog cross's cage shall not be harmful to the wolf-dog cross's health.

(f) The wolf-dog cross's cage shall be large enough to ensure that the wolf-dog cross has sufficient space to stand erect, turn around, and lie naturally.

(g) The wolf-dog cross shall not be placed in an enclosure over or next to another animal unless each enclosure has a fitted floor or lateral partition that prevents excreta from entering lower or adjacent enclosures.

(h) The wolf-dog cross shall be given potable water at least twice daily and fed at least once daily, unless otherwise directed by a veterinarian.

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• MICH. COMP. LAWS §287.1008. Exportation.

Sec. 8. A person shall not export or attempt to export a wolf-dog cross to another state or country unless all of the following requirements are met:

(a) The import and possession of the wolf-dog cross are lawful in the other state or country.

(b) The destination and proposed new owner of the wolf-dog cross have been approved by the regulatory agency in the other state or country having authority to do so, if any.

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• MICH. COMP. LAWS §287.1009. Rabies vaccination.

Sec. 9. If a rabies vaccination becomes approved by the federal government for use on a wolf-dog cross, the owner of a wolf-dog cross shall have the wolf-dog cross vaccinated for rabies by a veterinarian and shall keep the vaccination current.

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• MICH. COMP. LAWS §287.1010. Exposure to rabies.

Sec. 10. (1) If a wolf-dog cross potentially exposes a human to rabies by any penetration of the skin by teeth, any scratch that causes penetration of the skin, any abrasion that

causes penetration of the skin, or contamination of open wounds or mucous membranes with saliva or other infectious material, the owner or person temporarily in possession of the wolf-dog cross shall report the potential exposure to the local health department within 24 hours.

(2) If a wolf-dog cross potentially exposes livestock or a mammalian pet to rabies by any penetration of the skin by teeth, any scratch that causes penetration of the skin, any abrasion that causes penetration of the skin, or contamination of open wounds or mucous membranes with saliva or other infectious material, the owner or person temporarily in possession of the wolf-dog cross shall report the potential exposure to the permitting agency within 24 hours.

(3) Except as provided in subsection (4), if a wolf-dog cross potentially exposes a human, livestock, or mammalian pet to rabies by any means identified in this section, the wolf-dog cross shall be humanely euthanized by a veterinarian. The wolf-dog cross shall be immediately examined for rabies in the manner provided by rules promulgated under section 5111 of the public health code, 1978 PA 368, MCL 333.5111.

(4) If a wolf-dog cross potentially exposes a human, livestock, or a mammalian pet to rabies by any means identified in this section and, at the time of exposure, the owner or person temporarily in possession of the wolf-dog cross provides a valid certificate from a veterinarian indicating that the wolf-dog cross, at least 30 days before the exposure, was vaccinated with a rabies vaccine approved by the United States department of agriculture, the owner or person temporarily in possession of the wolf-dog cross may elect to have the wolf-dog cross quarantined for a period of 10 days from the date of exposure. If the wolf-dog cross dies, or develops any symptoms of rabies during the quarantine period, as determined by a veterinarian, the wolf-dog cross shall be humanely euthanized and examined for rabies in the manner provided by rules promulgated under section 5111 of the public health code, 1978 PA 368, MCL 333.5111.

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• MICH. COMP. LAWS §287.1011. Killing of wolf-dog cross by law enforcement officer or other person; conditions; liability.

Sec. 11. (1) A law enforcement officer or other person may kill a wolf-dog cross if the person sees the wolf-dog cross attacking, injuring, or killing either of the following:

(a) A human.

(b) Livestock or poultry.

(2) A law enforcement officer may kill a wolf-dog cross if the law enforcement officer sees the wolf-dog cross attacking, injuring, or killing wildlife.

(3) A person is not liable in damages or otherwise for killing or attempting to kill a wolf-dog cross under subsection (1) or (2).

(4) This act does not prohibit the owner of a wolf-dog cross, for which a permit has been issued if required under this act, from recovering by legal action against a law enforcement officer or other person the value of a wolf-dog cross illegally killed by that law enforcement officer or other person.

(5) A wolf-dog cross's entry onto a field or enclosure that is owned by or leased by a person producing livestock or poultry constitutes a trespass, and the owner or person temporarily in possession of the wolf-dog cross is liable in damages.

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• MICH. COMP. LAWS §287.1012. Liability of owner or possessor of wolf-dog cross.

Sec. 12. (1) The owner or person temporarily in possession of a wolf-dog cross is liable in a civil action for the death or injury of a human and for property damage, including, but not limited to, the death or injury of another animal, caused by the wolf-dog cross. This act does not limit the common law liability of the owner or person temporarily in possession of a wolf-dog cross for the death or injury of a human or for property damage caused by the wolf-dog cross.

(2) If a wolf-dog cross bites an individual without provocation while the individual is on public property or lawfully on private property, including the property of the owner or person temporarily in possession of the wolf-dog cross, the owner or person temporarily in possession of the wolf-dog cross is liable for any damages suffered by the individual bitten, regardless of the former viciousness of the wolf-dog cross or the owner's or person temporarily in possession's knowledge of such viciousness. For the purposes of this subsection, an individual is lawfully on the private property of the owner or person temporarily in possession of the wolf-dog cross if the individual is on that property in the performance of any duty imposed upon him or her by the laws of this state or by the laws or postal regulations of the United States, or if the individual is on that property as an invitee or licensee of the person lawfully in possession of the property, unless the individual has gained lawful entry upon the property for the purpose of an unlawful or criminal act.

(3) If a wolf-dog cross escapes or is released, intentionally or unintentionally, the owner or person temporarily in possession of the wolf-dog cross shall immediately contact a law enforcement officer of the local unit where the escape or release occurred to report the loss, escape, or release. The owner or person temporarily in possession of the wolf-dog cross is liable for all expenses associated with efforts to recapture the wolf-dog cross that is released or escapes.

(4) The owner or person temporarily in possession of the wolf-dog cross may bring against a person who is responsible in whole or part for the escape or release of the wolf-dog cross a civil action for damages, including, but not limited to, damages and expenses under subsection (1), (2), or (3).

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• MICH. COMP. LAWS §287.1013. Inspection of facility; violation; consultation with expert on wolf-dog cross identification.

Sec. 13. (1) A facility is subject to inspection at reasonable hours by a law enforcement officer to ensure compliance with this act.

(2) Subject to subsection (3), if there is probable cause to believe that this act is being violated, a law enforcement officer shall do 1 of the following:

(a) Issue to the violator a notice of the violation under section 14.

(b) Arrest the violator or seek a warrant for his or her arrest, as appropriate under chapter IV of the code of criminal procedure, 1927 PA 175, MCL 764.1 to 764.29, for a misdemeanor under section 15.

(c) File a sworn complaint under section 16(3).

(3) If a law enforcement officer believes that a canid is a wolf-dog cross but the owner of the canid is unable or unwilling to verify that the canid is a wolf-dog cross, the law enforcement officer, before enforcing this act, shall consult with an expert on wolf-dog cross identification. The expert on wolf-dog cross identification shall consider all relevant aspects of identification, such as behavioral characteristics, and morphological traits, including gait, and any necropsy results. Consultation with an expert on wolf-dog cross identification is not a prerequisite to enforcing this act for a violation of section 3(1)(d) or (e).

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• MICH. COMP. LAWS §287.1014. Notice of violation; correction; transfer of ownership and possession; inspection; noncompliance; forfeiture.

Sec. 14. (1) If there is probable cause to believe this act is being violated, a law enforcement officer may give notice of the violation in writing to the owner of the wolf-dog cross. The notice shall identify the violation and include a copy of this act.

(2) Not more than 30 days after the notice is delivered, the owner of the wolf-dog cross shall transfer ownership and possession of the wolf-dog cross or, subject to subsection (3), correct the violation and shall notify the law enforcement officer of the action taken.

(3) If the violation was failure to obtain a permit and the violation was committed knowingly, not more than 14 days after the notice is delivered, the owner of the wolf-dog cross shall transfer ownership and possession of the wolf-dog cross and notify the law enforcement officer of the action taken.

(4) A wolf-dog cross transferred under subsection (2) or (3) shall be transferred to a person described in section 22(1)(a), (b), (c), or (d). Notice that the wolf-dog cross was transferred under this subsection shall include evidence of the transfer satisfactory to the law enforcement officer.

(5) Unless the owner of the wolf-dog cross notifies the law enforcement officer that the wolf-dog cross was transferred under subsection (2) or (3), the law enforcement officer shall conduct an inspection at a reasonable time not less than 30 days after notice of the violation was delivered. When the second inspection is conducted, the owner of the wolf-dog cross shall pay an inspection fee of \$25.00 or actual, reasonable costs of the inspection, whichever is greater, to the law enforcement officer.

(6) If the law enforcement officer finds that the owner of the wolf-dog cross has not complied with subsection (2) or (3), the law enforcement officer shall seek forfeiture of the wolf-dog cross under section 16.

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• MICH. COMP. LAWS §287.1015. Violation as misdemeanor; penalty; additional punishment; exception.

Sec. 15. (1) Subject to subsection (2), a person who violates this act is guilty of a misdemeanor. The person shall be punished by a fine of not less than \$250.00 or more than \$1,000.00, plus costs of prosecution. However, a person who fails to obtain a permit as required by this act shall be punished by a fine, for each wolf-dog cross for which the permit was required, of not less than \$500.00 or more than \$2,000.00, plus costs of prosecution. In addition, a person who violates this act may be punished by 1 or more of the following:

(a) Imprisonment for not more than 93 days.

(b) Community service work for not more than 500 hours.

(c) The loss of privileges to own or possess any animal.



(2) Subsection (1) does not apply to a law enforcement officer, veterinarian, or permitting agency with respect to the performance of the duties of a law enforcement officer, veterinarian, or permitting agency under this act.

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• MICH. COMP. LAWS §287.1016. Violation; civil forfeiture.

Sec. 16. (1) If a person who owns or possesses a wolf-dog cross violates this act, that wolf-dog cross and any other wolf-dog crosses owned by that person are subject to civil forfeiture.

(2) The prosecuting attorney in an action under section 15 may file a petition requesting that the court issue an order for civil forfeiture of all of the wolf-dog crosses owned by the person violating this act.

(3) Any person may file with a court having jurisdiction a complaint alleging that a person is violating this act and requesting the court to order the civil forfeiture of all of the wolf-dog crosses owned by that person.

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• MICH. COMP. LAWS §287.1017. Seizure order; circumstances; methods; return of wolf-dog cross to victim.

Sec. 17. (1) A law enforcement officer shall seize a wolf-dog cross pursuant to an order of seizure issued by the court having jurisdiction over the wolf-dog cross upon a showing of probable cause that the wolf-dog cross is subject to forfeiture under section 16(1).

(2) A wolf-dog cross subject to forfeiture under section 16(1) may be seized under any of the following circumstances:

(a) The seizure is incident to a lawful arrest for a violation of this act.

(b) The seizure is pursuant to a valid search warrant.

(c) The seizure is pursuant to an inspection under a valid administrative inspection warrant.

(d) There is probable cause to believe that the conditions under which the wolf-dog cross or any other wolf-dog cross owned by the same person is kept are directly or indirectly dangerous to human or animal health or safety.

(e) Exigent circumstances exist that preclude obtaining a court order, and there is probable cause to believe that this act has been violated.

(f) The wolf-dog cross or any other wolf-dog cross owned by the same person is the subject of a prior judgment in favor of this state in a forfeiture proceeding.

(3) If a seizure is to be accomplished by capture, tranquilization or other humane methods shall be used for the capture.

(4) A wolf-dog cross seized under this act is not subject to any other action to recover personal property, but is considered to be in the custody of the seizing agency subject only to subsection (5) and sections 18 and 19, or to an order and judgment of the court having jurisdiction over the forfeiture proceedings. When a wolf-dog cross is seized under this act, the law enforcement officer may remove the wolf-dog cross to a place designated by the court.

(5) A wolf-dog cross that belongs to the victim of a crime shall promptly be returned to the victim, except in the following circumstances:

(a) When the crime victim last possessed the wolf-dog cross, he or she was in violation of section 4.

(b) If the ownership of the wolf-dog cross is disputed, until the dispute is resolved.

(c) If the property is required to be retained as evidence pursuant to section 4(4) of the crime victim's rights act, 1985 PA 87, MCL 780.754.

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• MICH. COMP. LAWS §287.1018. Seizure of wolf-dog cross; return to owner; notice of seizure.

Sec. 18. (1) A law enforcement officer may return a seized wolf-dog cross to the owner of the wolf-dog cross if the law enforcement officer is satisfied that the conditions resulting in the seizure have been corrected. If the wolf-dog cross was seized pursuant to process issued by a court, the law enforcement officer shall obtain approval of the court before returning the wolf-dog cross.

(2) Unless the wolf-dog cross has been returned, the law enforcement officer shall, within 10 days after the wolf-dog cross is seized, give written notice of the seizure and intent to forfeit the wolf-dog cross to each of the following persons:

(a) The owner of the wolf-dog cross.

(b) Each person with a known ownership interest in the wolf-dog cross.

(c) Any person who was injured or whose property was damaged by the wolf-dog cross.

(3) The notice required under subsection (2) shall be delivered in person or sent by certified mail. If the name and address of the person are not reasonably ascertainable or personal delivery of the notice cannot reasonably be accomplished, the notice shall be published in a newspaper of general circulation in the county in which the wolf-dog cross was seized for 10 successive publishing days. Proof of written notice or publication shall be filed with the court having jurisdiction over the seizure or forfeiture.

(4) The law enforcement officer shall immediately after seizure of the wolf-dog cross notify the prosecuting attorney for the county in which the wolf-dog cross was seized or, if the attorney general is actively handling a case involving or relating to the wolf-dog cross, the attorney general of the seizure of the wolf-dog cross and any intent to forfeit the wolf-dog cross under this act.

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• MICH. COMP. LAWS §287.1019. Motion to return wolf-dog cross; filing; grounds; hearing; failure to sustain burden of proof; order; admissibility of testimony in criminal prosecution.

Sec. 19. (1) The owner of a wolf-dog cross may file a motion with the court having jurisdiction to return the wolf-dog cross on the grounds that the wolf-dog cross was illegally seized or that the wolf-dog cross is not subject to forfeiture under this act. The court shall hear the motion within 30 days after the motion is filed.

(2) At the hearing on the motion filed under subsection (1), the attorney general, or the attorney for the local unit in which the wolf-dog cross was seized, shall establish probable cause to believe that the wolf-dog cross is subject to forfeiture under this act and, if the owner claims the wolf-dog cross was illegally seized, that the wolf-dog cross was properly seized.

(3) If the attorney general or the attorney for the local unit in which the wolf-dog cross was seized fails to sustain his or her burden of proof under subsection (2), the court shall order the return of the wolf-dog cross.

(4) The testimony of a person at a hearing held under this section is not admissible against him or her in any criminal proceeding except in a criminal prosecution for perjury. The testimony of a person at a hearing held under this section does not waive the person's constitutional right against self-incrimination.

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• MICH. COMP. LAWS §287.1020. Return of seized wolf-dog cross; conditions; notice; order of forfeiture; liability for costs.

Sec. 20. (1) A law enforcement officer shall return a seized wolf-dog cross to the owner of the wolf-dog cross within 7 days after the occurrence of any of the following:

(a) The failure to issue a warrant against the owner or person temporarily in possession of the wolf-dog cross for committing a misdemeanor under section 15 or to file a complaint under section 16(3) within 10 days after the wolf-dog cross is seized.

(b) The dismissal of charges against the owner or person temporarily in possession of the wolf-dog cross under section 15 or of a complaint under section 16(3), as applicable.

(c) The court's determination that an order for the wolf-dog cross to be forfeited shall not be entered.

(d) The acquittal of the owner or person temporarily in possession of the wolf-dog cross of any charges under section 15.

(e) Entry of a court order under this act for the return of the wolf-dog cross.

(2) If a wolf-dog cross is returned under subsection (1), the law enforcement officer shall give written notice to the persons who received notice under section 18 that the wolf-dog cross has been returned. The notice under this subsection shall be delivered in person or sent by certified mail. If the name and address of the person are not reasonably ascertainable or personal delivery of the notice cannot reasonably be accomplished, the notice shall be published in a newspaper of general circulation in the county in which the wolf-dog cross was seized for 10 successive publishing days.

(3) If the court orders a wolf-dog cross to be forfeited, the order of forfeiture shall direct that each wolf-dog cross be transferred to a wildlife sanctuary approved by the association of sanctuaries, an animal protection shelter, or a zoo accredited by the American zoo and aquarium association, where the wolf-dog cross will be safely and humanely cared for as provided by this act. However, subject to section 10, if the wolf-dog cross killed or injured a human or an animal, the order of forfeiture may direct that the wolf-dog cross be humanely euthanized by a veterinarian. An order of forfeiture shall also revoke any permit that may have been issued for the wolf-dog cross under section 4 and order payment of costs under subsection (4). The forfeiture is a civil forfeiture.

(4) If a wolf-dog cross is seized, the owner of the wolf-dog cross is liable for the costs of placement and care for the wolf-dog cross from the time of seizure until the time of return or forfeiture and, if a wolf-dog cross is ordered to be forfeited and euthanized, for the costs of humanely euthanizing and disposing of the wolf-dog cross. This subsection does not apply if the wolf-dog cross is returned under subsection (1) or section 19.

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• MICH. COMP. LAWS §287.1021. Local ordinances; effect; additional requirements.

Sec. 21. (1) A local unit may adopt an ordinance governing wolf-dog crosses that is more restrictive than this act.

(2) The requirements of this act are in addition to any other requirements governing a wolf-dog cross under state and federal law.

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• MICH. COMP. LAWS §287.1022. Applicability of §§ 287.1004, 287.1005, 287.1006, 287.1008, and 287.1014.

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

(a) An animal control shelter or animal protection shelter.

(b) A person 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.

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

(d) A person approved by the association of sanctuaries.

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

(f) A veterinarian temporarily in possession of a wolf-dog cross to provide veterinary care for or humanely euthanize the wolf-dog cross.

(2) Sections 4, 5, 6(1)(d) to (5)(b), 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.

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• MICH. COMP. LAWS §287.1023. Providing information to pet shops and animal shelters.

Sec. 23. The department shall provide each pet shop, animal control shelter, and animal protection shelter with information on the requirements of this act.

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• MICH. COMP. LAWS §287.1101 - Short title.

Sec. 1. This act shall be known and may be cited as the "large carnivore act".

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• MICH. COMP. LAWS §287.1102. Definitions.

Sec. 2. As used in this act:

(a) "Animal control officer" means a county animal control officer as described in sections 29a and 29b of the dog law of 1919, 1919 PA 339, MCL 287.289a and 287.289b, or a city, village, or township animal control officer as described in section 29c of 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 chapter I of title 9 of the code of federal regulations, 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.

(d) "Department" means the department of agriculture.

(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 or clouded leopard.
- (C) A jaguar.
- (D) A tiger.
- (E) A cougar.
- (F) A panther.
- (G) A cheetah.

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

(g) "Law enforcement officer" means:

- (i) A sheriff or sheriff's deputy.
- (ii) A village or township marshal.
- (iii) An officer of the police department of a city, village, or township.
- (iv) An officer of the Michigan state police.
- (v) A peace officer who is trained and certified under the commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.616.
- (vi) A conservation officer appointed by the department of natural resources.
- (vii) An animal control officer.
- (viii) A law enforcement officer of the federal government authorized to enforce any federal law regulating animals.

(h) "Livestock" means that term as defined in section 5 of the animal industry act of 1987, 1988 PA 466, MCL 287.705.

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

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

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

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

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

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

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• MICH. COMP. LAWS §287.1103. Prohibited conduct.

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

- (a) Own or possess a large carnivore except in compliance with this act.
- (b) Breed a large carnivore.
- (c) Transfer ownership or possession of or receive a transfer of ownership or possession of a large carnivore, with or without remuneration. This subdivision does not apply to a transfer of ownership or possession of a large carnivore expressly authorized or required by this act.

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• MICH. COMP. LAWS §287.1104. Possession of large carnivores; conditions; permit application; conditions for issuance; permit contents; notification to department by local unit of government; permit fee.

Sec. 4. (1) A person shall not possess 1 or more large carnivores unless all of the following apply:

- (a) The person owns the large carnivores.
- (b) The person was in possession of those individual large carnivores on the effective date of this act.
- (c) The person applies for a permit for those large carnivores within 90 days after the effective date of this act and obtains a permit for those large carnivores. The permit applies only to those individual large carnivores. The permit is not transferable to another person except through testate or intestate succession. The permit is valid in any local unit in which the possession of the large carnivores is not prohibited by ordinance.

(2) A person shall file an application for a permit with the person specified by the first of the following subdivisions that applies:

- (a) If the large carnivores are kept in a city or village and the city or village employs an animal control officer, with the city or village agency to which the animal control officer is assigned.
- (b) If the large carnivores are kept in a township and the township employs an animal control officer, with the township agency to which the animal control officer is assigned.
- (c) If the county in which the large carnivores are kept employs an animal control officer, with the county agency to which the animal control officer is assigned.



(d) If subdivisions (a), (b), and (c) do not apply, with the county sheriff of the county where the large carnivores are kept.

(3) An applicant for a permit shall include with the application both of the following:

(a) An annual permit fee. The annual permit fee shall be established by the governing body of the local unit whose agency issues the permit under subsection (2) and shall be not less than the greater of the following:

(i) Twenty-five dollars, or at the option of the local unit if the applicant keeps more than 1 large carnivore in that local unit, \$25.00 for each large carnivore.

(ii) An amount necessary to cover the local unit's actual, reasonable costs of enforcing this act.

(b) A written statement that does all of the following:

(i) Specifies the number of large carnivores owned by the applicant.

(ii) Describes in detail each large carnivore owned by the applicant, including, but not limited to, its identification number required under section 5.

(iii) Specifies the name, address, and telephone number of the person from whom the owner obtained the large carnivore, if known.

(c) A written statement giving the name and address of the veterinarian who is expected to provide veterinary care to the large carnivore, signed by the veterinarian.

(4) A local unit shall not issue a permit unless it finds that all of the following apply:

(a) The requirements of subsections (1), (2), and (3) are met.

(b) The applicant is 21 years of age or older.

(c) The applicant has not been convicted of or found responsible for violating a local ordinance or state law prohibiting neglect or mistreatment of an animal and has not within the past 10 years been convicted of a felony.

(d) The applicant is not subject to a court order requiring the forfeiture of a large carnivore or prohibiting the ownership or possession of a large carnivore.

(e) The facility and the conditions in which each large carnivore will be kept comply with this act.

(f) The applicant is knowledgeable about the large carnivore's disposition and care requirements.

(5) A permit shall set forth all of the following:

(a) The name and address of the permit holder and the address where each large carnivore will be kept, if different from that of the permit holder.

(b) The number of large carnivores owned by the permit holder.

(c) The identification number of each large carnivore required under section 5.

(d) The name and address of the veterinarian who is expected to provide veterinary care to the large carnivore.

(e) Any other reasonable information as determined by the local unit, which may include, but need not be limited to, a designation of permits required by a local unit, the department, the department of community health, the department of natural resources, the United States department of agriculture, or the fish and wildlife service of the United States department of the interior.

(6) A local unit that issues a permit shall notify the department of the name and address of the permit holder and the number of large carnivores owned by the permit holder.

(7) The owner of a large carnivore shall annually pay the local unit the annual permit fee established under subsection (3)(a).

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• MICH. COMP. LAWS §287.1105. Placement of identification number via subcutaneous microchip.

Sec. 5. The owner of a large carnivore shall have an identification number placed in the large carnivore via subcutaneous microchip, at the expense of the owner, by or under the supervision of a veterinarian.

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• MICH. COMP. LAWS §287.1106. Confinement and control of large carnivore; requirements; duties of owner.

Sec. 6. (1) A large carnivore shall not be tethered outdoors, such as on a leash or chain, or allowed to run at-large. Except as provided in this section or section 7, a large carnivore shall be constantly kept in a facility that meets all of the following requirements:

(a) Is sufficiently secure to prevent the large carnivore's escape and protect the large carnivore from injury.

(b) Is constructed of cement blocks, bricks, concrete, chain link fence, wires, or bars of a suitable thickness, gauge, or diameter to prevent the large carnivore's escape and to protect the large carnivore from injury.

(c) Has an entrance with a lock that is kept locked at all times when the large carnivore is kept in the facility.

(d) Is well-braced and securely anchored at ground level or, if the facility is located in a residence or other building, at floor level and utilizes metal clamps, ties, or braces of a strength sufficient for cage construction for that species of large carnivore.

(e) Is enclosed within a secondary fence that is located at least 3 feet outside of the walls of the facility and is adequate to prevent a human from coming into contact with the large carnivore.

(f) Has a floor area that meets or exceeds the minimum standards for housing as prescribed under the animal welfare act, Public Law 89-544, 7 U.S.C. 2131 to 2147, 2149 and 2151 to 2159, and regulations promulgated under that act.

(2) The owner of a large carnivore may, on a permanent or temporary basis, keep the large carnivore in the person's dwelling and not in a facility if the large carnivore is under the supervision of a person 21 years of age or older.

(3) The owner of a large carnivore may take the large carnivore outdoors if the owner of the large carnivore holds the large carnivore under control on a secure leash that is not more than 6 feet long and either or both of the following apply:

(a) The large carnivore is within a securely fenced area.

(b) The large carnivore is being moved between any 2 of the following:

(i) The large carnivore's facility.

(ii) The dwelling of the owner of the large carnivore, pursuant to subsection (2).

(iii) A shift cage, pursuant to subsection (4).

(iv) A vehicle, pursuant to section 7.

(v) A veterinarian's office or veterinary hospital.

(4) A large carnivore may be kept in a shift cage while the large carnivore's facility is being cleaned. The shift cage shall be of a size appropriate for the large carnivore and of a construction adequate to safely contain the large carnivore.

(5) The owner of a large carnivore shall do all of the following:

(a) Present a permit for the large carnivore upon the request of a law enforcement officer.

(b) Post and maintain signs on property on which a large carnivore is kept stating "A potentially dangerous large carnivore is kept on this property.". Each sign shall utilize block letters at least 1/2 inch high. A sign shall be posted as follows:

(i) At each fence gate providing access to a residence on the property, providing access to a building in which the large carnivore's facility is located, or providing access to the facility.

(ii) On the outside of each door providing access to a residence on the property or providing access to any building in which the large carnivore's facility is located.

(iii) On each side of the large carnivore's facility, unless the facility is located in a residence or other building.

(c) Clean any swimming or wading pools for the large carnivore as needed to ensure sufficiently sanitary water quality.

(d) Provide adequate drainage of surface water from the facility.

(e) Not place the large carnivore under the supervision of a person less than 21 years of age.

(f) Not mistreat or neglect the large carnivore or permit it to be mistreated or neglected.

(g) Ensure that the conditions in which the large carnivore is kept, including, but not limited to, the following, are safe and conducive to the large carnivore's physical health and comfort and promote normal behavior:

(i) Temperature.

(ii) Ventilation.

(iii) Humidity.

(iv) Drainage.

(v) Sanitation.

(vi) Diet.

(vii) Exercise.

(h) Provide the large carnivore with potable drinking water at least twice daily in a clean, accessible container, unless otherwise directed by a veterinarian.

(i) Provide the large carnivore with food that meets all of the following requirements:

(i) Is nutritious.

(ii) Is of sufficient quantity to maintain or restore health and normal body weight.

(iii) Is not spoiled or contaminated with insects, fecal material, or any other substance that may cause, the food to be unpalatable, that may decrease the nutritiousness of the food, or that may pose a health risk to the large carnivore.

(j) Remove fecal and food wastes from the facility daily and store or dispose of the wastes in a manner that prevents noxious odors, insect pests, or risks to human or animal health or the environment. Hard floors shall be scrubbed and disinfected weekly. Large facilities with dirt floors shall be raked every day and the raked waste removed every day.

(k) Ensure that the large carnivore receives from a veterinarian, at the owner's expense, an annual checkup, including scheduled vaccinations, and other necessary medical care. The owner of a large carnivore shall maintain copies of the large carnivore's veterinary records and present the records upon request of a law enforcement officer.

(l) When the large carnivore dies, arrange to have the death certified in writing by a veterinarian, law enforcement officer, or the permitting agency. The veterinarian, law enforcement officer, or permitting agency shall submit the certification to the department within 20 business days after the death.

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• MICH. COMP. LAWS §287.1107. Transportation requirements.

Sec. 7. A person lawfully in possession of a large carnivore under this act may transport the large carnivore in a vehicle. A person transporting a large carnivore in a vehicle shall comply with the standards in International Air Transport Ass'n., Live Animal Regulations (26th ed., 1999) applicable to the large carnivore species. In addition, a person transporting a large carnivore in a vehicle shall comply with all of the following requirements:

(a) The large carnivore shall be individually and securely caged, even while inside a passenger vehicle or in the bed of a truck. However, a female large carnivore and each of her unweaned offspring, if any, shall be transported in the same cage.

(b) The vehicle shall provide fresh air without injurious drafts and provide adequate protection from the elements to the large carnivore.

(c) The large carnivore's cargo area shall be as free as possible of engine exhaust fumes.

(d) Fecal and food wastes shall be removed from the large carnivore's transport cage on at least a daily basis.

(e) The temperature within the large carnivore's cage shall not be harmful to the large carnivore's health.

(f) The large carnivore's cage shall be large enough to ensure that the large carnivore has sufficient space to stand erect, turn around, and lie naturally.

(g) The large carnivore shall not be placed in a cage over or next to another animal unless each enclosure has a fitted floor or lateral partition that prevents excreta from entering lower or adjacent enclosures.

(h) The large carnivore shall be given potable water at least twice daily and fed at least once daily, unless otherwise directed by a veterinarian.

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• MICH. COMP. LAWS §287.1108. Exportation requirements.

Sec. 8. A person shall not export or attempt to export a large carnivore to another state or country unless all of the following requirements are met:

(a) The import and possession of the large carnivore are lawful in the other state or country.

(b) The destination and proposed new owner of the large carnivore have been approved by the regulatory agency in the other state or country having authority to do so, if any.

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• MICH. COMP. LAWS §287.1109. Exposure of human, livestock, or mammalian pet to rabies.

Sec. 9. (1) If a large carnivore potentially exposes a human to rabies by any penetration of the skin by teeth, any scratch that causes penetration of the skin, any abrasion that causes penetration of the skin, or contamination of open wounds or mucous membranes with saliva or other infectious material, the owner of the large carnivore shall report the potential exposure to the local health department within 24 hours.

(2) If a large carnivore potentially exposes livestock or a mammalian pet to rabies by any penetration of the skin by teeth, any scratch that causes penetration of the skin, any abrasion that causes penetration of the skin, or contamination of open wounds or mucous membranes with saliva or other infectious material, the owner of the large carnivore shall report the potential exposure to the permitting agency within 24 hours.

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• MICH. COMP. LAWS §87.1110. Euthanasia of large carnivore exposing human, livestock, or mammalian pet to rabies; examination.

Sec. 10. If a large carnivore potentially exposes a human, livestock, or a mammalian pet to rabies by any means identified in this section, the large carnivore shall be humanely euthanized by a veterinarian. The large carnivore shall be immediately examined for rabies in the manner provided by rules promulgated under section 5111 of the public health code, 1978 PA 368, MCL 333.5111.

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• MICH. COMP. LAWS §287.1111. Conditions permitted law enforcement officer or other person to kill large carnivore; liability; actions constituting trespass.

Sec. 11. (1) A law enforcement officer or other person may kill a large carnivore if the person sees the large carnivore chasing, attacking, injuring, or killing either of the following:

(a) A human.

(b) Livestock, poultry, or a mammalian pet.

(2) A law enforcement officer may kill a large carnivore if the law enforcement officer sees the large carnivore chasing, attacking, injuring, or killing wildlife.

(3) A person is not liable in damages or otherwise for killing or attempting to kill a large carnivore under subsection (1) or (2).

(4) This act does not prohibit the owner of a large carnivore, for which a permit has been issued if required under this act, from recovering by legal action against a law enforcement officer or other person the value of a large carnivore illegally killed by that law enforcement officer or other person.

(5) A large carnivore's entry onto a field or enclosure that is owned by or leased by a person producing livestock or poultry constitutes a trespass, and the owner of the large carnivore is liable in damages.

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• MICH. COMP. LAWS §287.1112. Liability of owner for death or injury of human or for property damage; escape or release of large carnivore.

Sec. 12. (1) The owner of a large carnivore is liable in a civil action for the death or injury of a human and for property damage, including, but not limited to, the death or injury of another animal, caused by the large carnivore. This act does not limit the common law liability of the owner of a large carnivore for the death or injury of a human or for property damage caused by the large carnivore.

(2) If a large carnivore escapes or is released, intentionally or unintentionally, the owner of the large carnivore shall immediately contact a law enforcement officer of the local unit where the escape or release occurred to report the loss, escape, or release. The owner of the large carnivore is liable for all expenses associated with efforts to recapture the large carnivore that is released or escapes.

(3) The owner of the large carnivore may bring against a person who is responsible in whole or part for the escape or release of the large carnivore a civil action for damages, including, but not limited to, damages and expenses under subsections (1) and (2).

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- MICH. COMP. LAWS §287.1113. Inspection of facility by law enforcement officer.

Sec. 13. (1) A facility is subject to inspection at reasonable hours by a law enforcement officer to ensure compliance with this act.

(2) If there is probable cause to believe that this act is being violated, a law enforcement officer shall do 1 of the following:

(a) Issue to the owner of the large carnivore a notice of the violation under section 14.

(b) Arrest the owner of the large carnivore or seek a warrant for his or her arrest, as appropriate under chapter IV of the code of criminal procedure, 1927 PA 175, MCL 764.1 to 764.29, for a misdemeanor under section 15.

(c) File a sworn complaint under section 16(3).

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- MICH. COMP. LAWS §287.1114. Notice of violation; transfer of ownership and possession; second inspection; fee; finding of noncompliance; forfeiture.

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

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

(3) If the violation was failure to obtain a permit and the violation was committed knowingly, not more than 14 days after the notice is delivered, the owner of the large



carnivore shall transfer ownership and possession of the large carnivore and notify the law enforcement officer of the action taken.

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

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

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

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• MICH. COMP. LAWS §287.1115. Violation as misdemeanor; fine; exception.

Sec. 15. (1) Subject to subsection (2), a person who violates this act is guilty of a misdemeanor. The person shall be punished by a fine of not less than \$250.00 or more than \$1,000.00, plus costs of prosecution. However, a person who fails to obtain a permit as required by this act shall be punished by a fine, for each large carnivore for which the permit was required, of not less than \$500.00 or more than \$2,000.00, plus costs of prosecution. In addition, a person who violates this act may be punished by 1 or more of the following:

- (a) Imprisonment for not more than 93 days.
- (b) Community service work for not more than 500 hours.
- (c) The loss of privileges to own or possess any animal.

(2) Subsection (1) does not apply to a law enforcement officer, veterinarian, or permitting agency with respect to the performance of the duties of a law enforcement officer, veterinarian, or permitting agency under this act.

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• MICH. COMP. LAWS §287.1116. Violation; request for civil forfeiture; filing.

Sec. 16. (1) If a person who owns or possesses a large carnivore violates this act, that large carnivore and any other large carnivore owned by that person are subject to civil forfeiture.

(2) The prosecuting attorney in an action under section 15 may file a petition requesting that the court issue an order for civil forfeiture of all of the large carnivores owned by the person violating this act.

(3) Any person may file with a court having jurisdiction a complaint alleging that a person is violating this act and requesting the court to order the civil forfeiture of all of the large carnivores owned by that person.

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• MICH. COMP. LAWS §287.1117. Seizure order; circumstances; method; placement; return to crime victim.

Sec. 17. (1) A law enforcement officer shall seize a large carnivore pursuant to an order of seizure issued by the court having jurisdiction over the large carnivore upon a showing of probable cause that the large carnivore is subject to forfeiture under section 16(1).

(2) A large carnivore subject to forfeiture under section 16(1) may be seized under any of the following circumstances:

(a) The seizure is incident to a lawful arrest for a violation of this act.

(b) The seizure is pursuant to a valid search warrant.

(c) The seizure is pursuant to an inspection under a valid administrative inspection warrant.

(d) There is probable cause to believe that the conditions under which the large carnivore or any other large carnivore owned by the same person is kept are directly or indirectly dangerous to human or animal health or safety.

(e) Exigent circumstances exist that preclude obtaining a court order, and there is probable cause to believe that this act has been violated.

(f) The large carnivore or any other large carnivore owned by the same person is the subject of a prior judgment in favor of this state in a forfeiture proceeding.

(3) If a seizure is to be accomplished by capture, tranquilization or other humane methods shall be used for the capture.

(4) A large carnivore seized under this act is not subject to any other action to recover personal property, but is considered to be in the custody of the seizing agency subject only to subsection (5) and sections 18 and 19, or to an order and judgment of the court having jurisdiction over the forfeiture proceedings. When a large carnivore is seized under this act, the law enforcement officer may remove the large carnivore to a place designated by the court.

(5) A large carnivore that belongs to the victim of a crime shall promptly be returned to the victim, except in the following circumstances:

(a) When the crime victim last possessed the large carnivore, he or she was in violation of section 4.

(b) If the ownership of the large carnivore is disputed, until the dispute is resolved.

(c) If the property is required to be retained as evidence pursuant to section 4(4) of the crime victim's rights act, 1985 PA 87, MCL 780.754.

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• MICH. COMP. LAWS §287.1118. Correction of conditions leading to seizure; return to owner; court approval; notice of seizure and intent to forfeit; delivery of notice; notice to prosecuting attorney or attorney general.

Sec. 18. (1) A law enforcement officer may return a seized large carnivore to the owner of the large carnivore if the law enforcement officer is satisfied that the conditions resulting in the seizure have been corrected. If the large carnivore was seized pursuant to process issued by a court, the law enforcement officer shall obtain approval of the court before returning the large carnivore.

(2) Unless the large carnivore has been returned, the law enforcement officer shall, within 10 days after the large carnivore is seized, give written notice of the seizure and intent to forfeit the large carnivore to each of the following persons:

(a) The owner of the large carnivore.

(b) Any person who was injured or whose property was damaged by the large carnivore.

(3) The notice required under subsection (2) shall be delivered in person or sent by certified mail. If the name and address of the person are not reasonably ascertainable or personal delivery of the notice cannot reasonably be accomplished, the notice shall be published in a newspaper of general circulation in the county in which the large carnivore was seized for 10 successive publishing days. Proof of written notice or publication shall be filed with the court having jurisdiction over the seizure or forfeiture.

(4) The law enforcement officer shall immediately after seizure of the large carnivore notify the prosecuting attorney for the county in which the large carnivore was seized or, if the attorney general is actively handling a case involving or relating to the large carnivore, the attorney general of the seizure of the large carnivore and any intent to forfeit the large carnivore under this act.

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• MICH. COMP. LAWS §287.1119. Motion by owner for return of large carnivore; hearing; establishment of probable cause; burden of proof; admissibility of testimony in criminal prosecution.

Sec. 19. (1) The owner of a large carnivore may file a motion with the court having jurisdiction to return the large carnivore on the grounds that the large carnivore was illegally seized or that the large carnivore is not subject to forfeiture under this act. The court shall hear the motion within 30 days after the motion is filed.

(2) At the hearing on the motion filed under subsection (1), the attorney general, or the attorney for the local unit in which the large carnivore was seized, shall establish probable cause to believe that the large carnivore is subject to forfeiture under this act and, if the owner claims the large carnivore was illegally seized, that the large carnivore was properly seized.

(3) If the attorney general or the attorney for the local unit in which the large carnivore was seized fails to sustain his or her burden of proof under subsection (2), the court shall order the return of the large carnivore.

(4) The testimony of a person at a hearing held under this section is not admissible against him or her in any criminal proceeding except in a criminal prosecution for perjury. The testimony of a person at a hearing held under this section does not waive the person's constitutional right against self-incrimination.

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• MICH. COMP. LAWS §287.1120. Return of seized large carnivore to owner; conditions; notice; order of forfeiture; liability for care and placement costs.

Sec. 20. (1) A law enforcement officer shall return a seized large carnivore to the owner of the large carnivore within 7 days after the occurrence of any of the following:

(a) The failure to issue a warrant against the owner of the large carnivore for committing a misdemeanor under section 15 or to file a complaint under section 16(3) within 10 days after the large carnivore is seized.

(b) The dismissal of charges against the owner of the large carnivore under section 15 or of a complaint under section 16(3), as applicable.

(c) The court's determination that an order for the large carnivore to be forfeited shall not be entered.

(d) The acquittal of the owner of the large carnivore of any charges under section 15.

(e) Entry of a court order under this act for the return of the large carnivore.

(2) If a large carnivore is returned under subsection (1), the law enforcement officer shall give written notice to the persons who received notice under section 18 that the large carnivore has been returned. The notice under this subsection shall be delivered in person or sent by certified mail. If the name and address of the person are not reasonably ascertainable or personal delivery of the notice cannot reasonably be accomplished, the notice shall be published in a newspaper of general circulation in the county in which the large carnivore was seized for 10 successive publishing days.

(3) If the court orders a large carnivore to be forfeited, the order of forfeiture shall direct that each large carnivore be transferred to a wildlife sanctuary approved by the association of sanctuaries, an animal protection shelter, or a zoo accredited by the American zoo and aquarium association, where the large carnivore will be safely and humanely cared for. However, subject to section 10, if the large carnivore killed or injured a human or an animal, the order of forfeiture may direct that the large carnivore be humanely euthanized by a veterinarian. An order of forfeiture shall also revoke any permit that may have been issued for the large carnivore under section 4 and order payment of costs under subsection (4). The forfeiture is a civil forfeiture.

(4) If a large carnivore is seized, the owner of the large carnivore is liable for the costs of placement and care for the large carnivore from the time of seizure until the time of return or forfeiture and, if a large carnivore is ordered to be forfeited and euthanized, for the costs of humanely euthanizing and disposing of the large carnivore. This subsection does not apply if the large carnivore is returned under subsection (1) or section 19.

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• MICH. COMP. LAWS §287.1121. Local ordinance more restrictive than act; requirements as additional to other state and federal law.

Sec. 21. (1) A local unit may adopt an ordinance governing large carnivores that is more restrictive than this act.

(2) The requirements of this act are in addition to any other requirements governing a large carnivore under state and federal law.

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• MICH. COMP. LAWS §287.1122. Exceptions.

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

- (a) An animal control shelter or animal protection shelter.
  - (b) A person 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.
  - (c) A zoological park approved or accredited by the American zoo and aquarium association.
  - (d) A person approved by the association of sanctuaries or the American sanctuary association.
  - (e) A law enforcement officer acting under the authority of this act.
  - (f) 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) Subject to subsection (2), this act does not apply to a person who meets all of the following requirements:
- (a) Is conducting a for-profit or nonprofit business that meets both of the following requirements:
    - (i) The primary purpose of the business is the presentation of animals including large carnivores to the public for education or exhibition purposes.
    - (ii) The business is not conducted in connection with another business as a means of attracting customers to that other business.
  - (b) Is a class C licensee that possesses and maintains a class C license under 9 C.F.R. 1.1.

(c) Meets or exceeds all standards, including but not limited to standards for training, housing, care, and transport of large carnivores, required of a class C licensee under 9 C.F.R. 1.1.

(d) Does not allow a patron to do any 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.

(4) This act does not apply to a circus.

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• MICH. COMP. LAWS §287.1123. Information provided to pet shop, animal control or protection shelter.

Sec. 23. The department shall provide each pet shop, animal control shelter, and animal protection shelter with information on the requirements of this act.

## **Minnesota**

• MINN. STAT. §84D.04 - Classification of exotic species.

Subdivision 1. Classes. The commissioner shall, as provided in this chapter, classify exotic species according to the following categories:

(1) prohibited exotic species, which may not be possessed, imported, purchased, sold, propagated, transported, or introduced except as provided in section 84D.05;

(2) regulated exotic species, which may not be introduced except as provided in section 84D.07;

(3) unlisted exotic species, which are subject to the classification procedure in section 84D.06; and

(4) unregulated exotic species, which are not subject to regulation under this chapter.

Subd. 2. Criteria. The commissioner shall consider the following criteria in classifying an exotic species under this chapter:

- (1) the likelihood of introduction of the species if it is allowed to enter or exist in the state;
- (2) the likelihood that the species would naturalize in the state were it introduced;
- (3) the magnitude of potential adverse impacts of the species on native species and on outdoor recreation, commercial fishing, and other uses of natural resources in the state;
- (4) the ability to eradicate or control the spread of the species once it is introduced in the state; and
- (5) other criteria the commissioner deems appropriate.

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· MINN. STAT. §84D.05 - Prohibited exotic species.

Subdivision 1. Prohibited activities. A person may not possess, import, purchase, sell, propagate, transport, or introduce a prohibited exotic species, except:

- (1) under a permit issued by the commissioner under section 84D.11;
- (2) in the case of purple loosestrife, as provided by sections 18.75 to 18.88;
- (3) under a restricted species permit issued under section 17.457;
- (4) when being transported to the department, or another destination as the commissioner may direct, in a sealed container for purposes of identifying the species or reporting the presence of the species;
- (5) when being transported for disposal as part of a harvest or control activity under a permit issued by the commissioner pursuant to section 103G.615, or as specified by the commissioner;
- (6) when the specimen has been lawfully acquired dead and, in the case of plant species, all seeds are removed or are otherwise secured in a sealed container;
- (7) in the form of herbaria or other preserved specimens;
- (8) when being removed from watercraft and equipment, or caught while angling, and immediately returned to the water from which they came; or



(9) as the commissioner may otherwise prescribe by rule.

Subd. 2. Seizure. Under section 97A.221, the commissioner may seize or dispose of all specimens of prohibited exotic species unlawfully possessed, imported, purchased, sold, propagated, transported, or introduced in the state.

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· MINN. STAT. §84D.06 - Unlisted exotic species.

Subdivision 1. Process. After the effective date of the rules adopted under section 84D.12, subdivision 1, clause (1), a person may not introduce an unlisted exotic species unless:

- (1) the person has notified the commissioner in a manner and form prescribed by the commissioner;
- (2) the commissioner has made the classification determination required in subdivision 2 and designated the species as appropriate; and
- (3) the introduction is allowed under the applicable provisions of this chapter.

Subd. 2. Classification. (a) If the commissioner determines that a species for which a notification is received under subdivision 1 should be classified as a prohibited exotic species, the commissioner shall:

- (1) adopt a rule under section 84D.12, subdivision 3, designating the species as a prohibited exotic species; and
- (2) notify the person from which the notification was received that the species is subject to section 84D.04.

(b) If the commissioner determines that a species for which a notification is received under subdivision 1 should be classified as an unregulated exotic species, the commissioner shall:

- (1) adopt a rule under section 84D.12, subdivision 3, designating the species as an unregulated species; and
- (2) notify the person from which the notification was received that the species is not subject to regulation under this chapter.

(c) If the commissioner determines that a species for which a notification is received under subdivision 1 should be classified as a regulated exotic species, the commissioner shall notify the applicant that the species is subject to the requirements in section 84D.07.

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· MINN. STAT. §84D.07 - Regulated exotic species.

Except as provided in rules adopted under section 84D.12, subdivision 2, clause (1), a person may not introduce a regulated exotic species without a permit issued by the commissioner.

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· MINN. R. §6216.0250 - Prohibited Exotic Species.

Subpart 1. Designation. The species in subparts 2 to 5 and any hybrids, cultivars, or varieties of the species are designated as prohibited exotic species.

Subp. 2. Aquatic plants. The following aquatic plants are designated as prohibited exotic species:

- A. African oxygen weed (*Lagarosiphon major*) (Ridley) Moss ex Wagner;
- B. aquarium watermoss or giant salvinia (*Salviniamolesta*) Mitchell;
- C. Australian stonecrop (*Crassula helmsii*) (Kirk) Cockayne;
- D. curly-leaf pondweed (*Potamogeton crispus*) Linnaeus;
- E. Eurasian water milfoil (*Myriophyllum spicatum*) Linnaeus;
- F. European frog-bit (*Hydrocharis morsus-ranae*) Linnaeus;
- G. flowering rush (*Butomus umbellatus*) Linnaeus;
- H. hydrilla (*Hydrilla verticillata*) (Carl von Linnaeus) Royle;
- I. Indian swampweed (*Hygrophila polysperma*) (Roxburgh) T. Anders;
- J. purple loosestrife (*Lythrum salicaria*, *Lythrum virgatum*, or any variety, hybrid, or cultivar thereof) Linnaeus;
- K. water aloe or water soldiers (*Stratiotes aloides*) Linnaeus; and
- L. water chestnut (*Trapa natans*) Linnaeus.

Subp. 3. Fish. The following fish are designated as prohibited exotic species:

- A. bighead carp (*Hypophthalmichthys nobilis*) Richardson;
- B. black carp (*Mylopharyngodon piceus*) (Richardson) Peters;
- C. grass carp (*Ctenopharyngodon idella*) Valenciennes;
- D. round goby (*Neogobius melanostomus*);
- E. rudd (*Scardinius erythrophthalmus*) Linnaeus;
- F. ruffe (*Gymnocephalus cernuus*) Linnaeus;
- G. sea lamprey (*Petromyzon marinus*) Linnaeus;
- H. silver carp (*Hypophthalmichthys molitrix*) Valenciennes;
- I. white perch (*Morone americana*) Gmelin; and
- J. zander (*Stizostedion lucioperca*) Linnaeus.

Subp. 4. Invertebrates. The following invertebrate is designated as a prohibited exotic species: zebra mussel (*Dreissena* spp.).

Subp. 5. Mammals. The following mammals are designated as prohibited exotic species:

- A. Asian raccoon dog, also known as finnraccoon (*Nyctereutes procyonoides*);
- B. Eurasian swine, European wild boar (*Sus scrofa scrofa*) Linnaeus;
- C. European rabbit (*Oryctolagus cuniculus*); and
- D. nutria, any strain (*Myocastor coypu*).

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· MINN. R. §6216.0260 - Regulated Exotic Species.

Subpart 1. Designation. The species in subparts 2 to 5 are designated as regulated exotic species.

Subp. 2. Aquatic plants. The following aquatic plants are designated as regulated exotic species:

- A. Carolina fanwort or fanwort (*Cabomba caroliniana*) A. Gray;
- B. parrot's feather (*Myriophyllum aquaticum*) (da Conceicao Vellozo) Verdcourt; and
- C. nonnative waterlilies (*Nymphaea* spp.) Linnaeus, or any variety, hybrid, or cultivar thereof. Native Minnesota waterlilies are: *Nymphaea odorata* Aiton subsp. *odorata* Aiton, *N. leibergeii* Morong, and *N. Odorata* Aiton subsp. *tuberosa* (Paine) Wiersema & Hellquist.

Subp. 3. Fish. The following fish are designated as regulated exotic species:

- A. alewife (*Alosa pseudoharengus*) Wilson;
- B. common carp, koi (*Cyprinus carpio*) Linnaeus;
- C. goldfish (*Carassius auratus*) Linnaeus;
- D. rainbow smelt (*Osmerus mordax*) Mitchell; and
- E. tilapia (*Tilapia*, *Oreochromis*, *Sartheradon* spp.).

Subp. 4. Invertebrates. The following invertebrates are designated as regulated exotic species:

- A. Chinese mystery snail, Japanese trap door snail (*Cipangopaludina* spp.) Hannibal;
- B. rusty crayfish (*Orconectes rusticus*) Girard; and
- C. spiny water flea (*Bythotrephes cederstroemi*) Schoedler.

Subp. 5. Birds. The following birds are designated as regulated exotic species:

- A. Egyptian goose (*Alopochen aegyptia*) Linne;
- B. mute swan (*Cygnus olor*) Gmelin; and
- C. Sichuan pheasant (*Phasianus colchicus strachi*).

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· MINN. R. §6216.0265 - Permits for Prohibited and Regulated Exotic Species.

Subpart 1. Requirement. No person may possess, import, purchase, propagate, or transport a prohibited exotic species without a permit from the commissioner issued according to this part, except as authorized by Minnesota Statutes, section 84D.05. No

person may introduce a regulated exotic species without a permit from the commissioner issued according to this part, except as authorized in subpart 2. A regulated exotic species permit is not required for a person to possess, import, purchase, propagate, transport, own, or sell a regulated exotic species.

Subp. 2. Exemptions and alternate permits for regulated exotic species. In lieu of an additional permit issued under Minnesota Statutes, section 84D.11, permits and licenses issued under Minnesota Statutes, sections 17.4981 to 17.4994 and chapter 97C, and rules adopted thereunder, may authorize the introduction of regulated exotic species, provided that the conditions specified in those permits and licenses are in accordance with the conditions specified under this part.

Subp. 3. Prohibited exotic species permit limitation. A person may apply for a permit for prohibited exotic species only for the purposes of disposal, control, research, or education according to Minnesota Statutes, section 84D.11, subdivision 1.

Subp. 4. Eligibility; prohibited exotic species permit. An applicant for a prohibited exotic species permit must:

A. have experience in the skills necessary for handling potentially harmful species, including:

(1) knowledge of precautions necessary to prevent spread through handling; or

(2) previous experience handling harmful exotic species without allowing escapes;

B. maintain a facility or transportation equipment that prevents the escape of exotic species;

C. if the applicant is an individual, be at least 18 years of age at the time the application is received by the department; and

D. if the applicant is a corporation, limited partnership, or other business entity, be qualified to do business in Minnesota as shown by a certificate of authority to transact business in Minnesota or a certificate of limited partnership from the Minnesota Secretary of State.

Subp. 5. Permit application.

A. Written application for a permit for a prohibited or regulated exotic species shall be made on a form prescribed by the commissioner and shall contain the following:

(1) the legal name, address, daytime and evening telephone numbers, and, if an individual, date of birth of the applicant;

(2) the scientific and common names of either the prohibited exotic species that the applicant desires to propagate, possess, import, purchase, or transport or the regulated exotic species that the applicant desires to introduce;

(3) a detailed description of the activity the applicant will be undertaking;

(4) a detailed description of the facilities or transportation equipment to be used and an explanation of how the equipment is sufficient to prevent an unauthorized introduction of a prohibited exotic species;

(5) a description of the applicant's experience in handling the same or similar species;

(6) a written contingency plan for eradication or recapture in the event of an unauthorized introduction of the prohibited exotic species; and

(7) an agreement to comply with the requirements of parts 6216.0100 to 6216.0600.

B. The commissioner may request additional information from the applicant in writing after the application is received if necessary to evaluate the potential risk to the state's resources.

C. The commissioner shall review the permit applications and respond to the applicant within 30 days of receipt of the application or the additional information requested in item B.

Subp. 6. Inspection of facilities or equipment. After receipt of an application for a prohibited exotic species permit, and a determination by the commissioner that the applicant has satisfied all the initial requirements for a permit as described in this part, the commissioner may inspect the applicant's holding facilities or other containment or transportation equipment. Facilities holding prohibited exotic species under permit are subject to inspection by the commissioner at any reasonable time.

Subp. 7. Transferability. A permit issued under this part is not transferable.

Subp. 8. Expiration date and renewal. All prohibited exotic species and regulated exotic species permits expire at midnight on December 31 of each year, unless otherwise specified in the permit. Applications for renewal of permits shall be made by October 1 of the year the permit expires. Applications for renewal shall describe any changes to the information initially required in subpart 5.

Subp. 9. Revocation of permit.

A. The commissioner may revoke all or part of a permit issued under this part when:

(1) the commissioner determines that a permittee has failed to comply with parts 6216.0100 to 6216.0600; or

(2) it is necessary to protect the interests of the public, to protect native plant and animal populations in the state, or to otherwise protect the state's natural resources.

B. Except in an emergency situation when delay would threaten the state's natural resources, the commissioner shall, at least 14 days prior to the effective date of the revocation, inform the permit holder in writing of the nature of the revocation and of the conditions that, in the commissioner's opinion, require revocation.

C. Within 30 days of receipt of a notice of revocation, the permit holder may apply for an amendment to the permit or request a hearing before the commissioner to contest the revocation, to support the permit holder's proposed amendment, or both.

D. The permit shall be revoked on the date stated on the revocation notice until such time that the decision is reversed or modified.

Subp. 10. Disclaimer of liability. A prohibited exotic species permit or regulated exotic species permit issued under this part is permissive only. No liability is assumed by the state or any of its officers, agents, or employees by issuing a prohibited or regulated exotic species permit or by any acts or operations of the permittee or any prohibited or regulated exotic species in possession of the permittee.

Subp. 11. Effective date. A person possessing, importing, purchasing, selling, propagating, transporting, or introducing a prohibited exotic species on June 2, 1998, must apply for a permit within 60 days of June 2, 1998.

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· MINN. R. §6216.0270 - Unregulated Exotic Species.

Subpart 1. Designation. The species in subparts 2 to 5 are designated as unregulated exotic species. These exotic species are not subject to regulation under Minnesota Statutes, chapter 84D.

Subp. 2. Fish. The following fish are designated as unregulated exotic species:

- A. Atlantic salmon (*Salmo salar*) Linnaeus;
- B. brown trout (*Salmo trutta*) Linnaeus;
- C. coho salmon (*Oncorhynchus kisutch*) Walbaum;
- D. Chinook salmon (*Oncorhynchus tshawytscha*) Walbaum;
- E. pink salmon (*Oncorhynchus gorbuscha*) Walbaum;

F. rainbow trout (*Oncorhynchus mykiss*) Walbaum; and

G. subtropical, tropical, and saltwater fish, except anadromous species.

Subp. 3. Invertebrates. The following invertebrates are designated as unregulated exotic species: subtropical, tropical, and saltwater invertebrates.

Subp. 4. Mammals. The following mammal is designated as an unregulated exotic species: rat (*Rattus norvegicus* and *Rattus rattus*).

Subp. 5. Birds. The following birds are designated as unregulated exotic species:

A. chuckar partridge (*Alectoris chuckar*) Gray;

B. helmeted Guinea fowl (*Numida meleagris*) Linnaeus;

C. house sparrow (*Passer domesticus domesticus*) Linnaeus;

D. Hungarian partridge, gray partridge (*Perdix perdix*) Linnaeus;

E. peafowl (*Pavo cristatus*) Linnaeus;

F. pigeon or rock dove (*Columba livia*) Gmelin;

G. ring-necked pheasant (*Phasianus colchicus*) Linnaeus; and

H. starling (*Sturnus vulgaris vulgaris*) Linnaeus.

## **Mississippi**

• MISS. CODE ANN. §49-8-5 - Animals inherently dangerous to humans.

The following wild animals are classed as animals inherently dangerous to humans:

(a) Order Primates:

(i) Family Pongidae (gibbons, orangutan, chimpanzees, siamangs and gorillas) - all species;

(ii) Family Cercopithecidae:

A. Genus *Macaca* (macaques) - all species;

B. Genus *Papio* (mandrills, drills and baboons) - all species;



C. *Theropithecus Gelada* (Gelada baboon);

(b) Order Carnivora:

(i) Family Canidae:

A. Genus *Canis* (wolves, jackals and dingos; all species, including crosses between wolves and domestic animals);

B. *Chrysocyon brachyurus* (maned wolf);

C. *Cuon alpinus* (red dog);

D. *Lycaon pictus* (African hunting dog);

(ii) Family Ursidae (bears) - all species;

(iii) Family Mustelidae - *Gulo gulo* (wolverine);

(iv) Family Hyaenidae (hyenas) - all species;

(v) Family Felidae:

A. Genus *Leo* or *Panthera* or *Neofelis* (lions, tigers, jaguars and leopards) - all species;

B. *Unica unica* (snow leopard);

C. *Acinonyx jubatus* (cheetah);

D. *Felis concolor* (cougar) - all subspecies;

(c) Order Proboscidae: Family Elephantidae (elephants) - all species;

(d) Order Perissodactyla: Family Rhinocerotidae (rhinoceroses) - all species;

(e) Order Artiodactyla:

(i) Family Hippopotamidae - *Hippopotamus amphibius* (hippopotamus);

(ii) Family Bovidae: *Syncerus caffer* (African buffalo).

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- MISS. CODE ANN. §49-8-7 - Possession of wild animals prohibited; permit required; exemptions.

(1)(a) It is unlawful for a person to import, transfer, sell, purchase or possess any wild animal classified inherently dangerous by law or regulation unless that person holds a permit under paragraph (b) or is exempted under paragraph (c).

(b)(i) Any person who possesses a wild animal on May 1, 1997, may receive a fee-exempt temporary permit for that animal if the person applies by July 1, 1997. The temporary permit shall be valid until such time as the department notifies the person of the adoption of the regulations for wild animals and of the date the person must apply for an annual permit. After notification, the person shall apply for an annual permit.

(ii) A person must obtain a permit before that person takes possession of a wild animal. The applicant must comply with all the requirements of this chapter and the regulations promulgated by the commission to obtain the permit. Prior to the issuance of a permit, the applicant must provide proof of liability insurance in the amount of One Hundred Thousand Dollars (\$100,000.00) for each wild animal up to a maximum of One Million Dollars (\$1,000,000.00). An applicant shall have the burden of proving that any wild animals subject to this chapter are or will be imported, transferred, sold, purchased or possessed in compliance with this chapter and regulations.

(c) Public zoos, university research facilities, governmental agencies, transient circuses and rehabilitation and sanctuary facilities may be exempted from having a permit if the exemption is approved by the commission.

(d) Any permit issued under this chapter shall be valid for one (1) year and only for the species specified. A permit is required for each wild animal possessed. A permit for a female wild animal shall cover her progeny only while her progeny are physically dependant upon her or until her progeny are three (3) months old, whichever period is longer.

(2)(a) It is unlawful for any person to sell, transfer, deliver or give a wild animal classified as inherently dangerous to any other person unless the other person holds a permit for the wild animal or is exempt from holding a permit.

(b) Owners of unpermitted wild animals who do not qualify for a permit to possess the wild animal shall dispose of the wild animal according to law or regulation within thirty (30) days of notification by the department. Each day of possession of the unpermitted wild animal after the thirty-day period constitutes a separate violation.

## **Missouri**

- MO. REV. STAT. §578.023 - Keeper of dangerous wild animals must register animals, exceptions - penalty.

1. No person may keep any lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, canada lynx, bobcat, jaguarundi, hyena, wolf, or coyote, or any deadly, dangerous, or poisonous reptile, in any place other than a properly maintained zoological park, circus, scientific, or educational institution, research laboratory, veterinary hospital, or animal refuge, unless such person has registered such animals with the local law enforcement agency in the county in which the animal is kept.

2. Any person violating the provisions of this section shall be guilty of a class C misdemeanor.

## **Montana**

- MONT. CODE ANN. 87-4-801 - Definitions.

As used in this part unless the context requires otherwise, the following definitions apply:

(1) "Roadside menagerie" means any place where one or more wild animals, including birds, reptiles, and the like, are kept in captivity for the evident purpose of exhibition or attracting trade, on or off the facility premises. It does not include the exhibition of any animal by an educational institution or by a traveling theatrical exhibition or circus based outside of Montana.

(2) "Wild animal" means an animal that is wild by nature as distinguished from the common domestic animals, whether the animal was bred or reared in captivity, and includes birds and reptiles.

(3) "Wild animal menagerie" means any place where one or more bears or large cats, including cougars, lions, tigers, jaguars, leopards, pumas, cheetahs, ocelots, and hybrids of those large cats are kept in captivity for use other than public exhibition.

(4) "Zoo" means any zoological garden chartered as a nonprofit corporation by the state or any facility participating in the American zoo and aquarium association accreditation program for the purpose of exhibiting wild animals for public viewing.

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- MONT. CODE ANN. 87-4-803 - Permits.

(1) The department may grant permits for roadside menageries, wild animal menageries, and zoos. It is unlawful for any person to operate a roadside menagerie or wild animal menagerie without a permit. Application for a permit must be made to the director on a form prescribed by the director. The annual permit fee for five or less animals is \$10. The annual permit fee for more than five animals is \$25. Permits expire on December 31 but

may be renewed upon payment of the annual fee and submission of a renewal application. This section does not apply to the United States, the state of Montana, or any county or city. A person who subscribes to any false statement in application for a permit is guilty of a misdemeanor and may be denied a permit.

(2) (a) A permit application for a roadside menagerie must include:

- (i) the applicant's name and address;
- (ii) the exact location of the facility;
- (iii) a list of species and the number of animals to be held in the facility;
- (iv) the type of facility contemplated, including cage specifications;
- (v) a copy of all required federal permits for exhibition of wild animals; and
- (vi) a copy of a liability insurance policy to cover bodily injury or property damage.

(b) A permit application for a wild animal menagerie must include:

- (i) the applicant's name and address;
- (ii) the exact location of the facility, together with the nature of the applicant's title to the land, whether in fee, under lease, by contract for deed, or otherwise;
- (iii) a list of species and the number of animals to be held in the facility;
- (iv) the type of facility contemplated, including cage specifications; and
- (v) information demonstrating that the applicant is responsible.

(c) A permit application for a zoo must include:

- (i) the applicant's name and address;
- (ii) the exact location of the facility;
- (iii) a copy of the nonprofit corporation documents approved by the secretary of state's office;
- (iv) a copy of the required federal permits for exhibition of wild animals; and
- (v) if applicable, a copy of the American zoo and aquarium association accreditation program specific to the facility.

(3) Renewal applications for roadside menageries and wild animal menageries must include an accounting of all wild animals on the facility.

(4) A permit may not be granted by the department until it has satisfactorily verified that the provisions for housing and caring for the animals and for protecting the public are proper and adequate and in accordance with the standards established by the department.

(5) A permit is not transferable to another person.

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• MONT. CODE ANN. 87-4-804 - Permit to obtain wild animals

(1) It is unlawful to obtain wild animals for a roadside menagerie, wild animal menagerie, or zoo by capture from the wild or by purchase except as authorized by the department in accordance with the terms of a permit.

(2) Application for a capture permit may be made only by a zoo and must be made to the director on a form prescribed by the director. After investigation by the department, the director may issue a capture permit without charge if the director finds:

(a) that all provisions of this part and of the department regulations are complied with by the applicant; and

(b) that the number and species of wildlife desired is not excessive under the circumstances.

(3) If wild animals are to be obtained by capture for use in zoos, the permit must designate the number and the means of capture, but ownership of the wild animals captured shall remain in the state of Montana.

(4) Roadside menageries, wild animal menageries, and zoos may obtain captive-bred wild animals from a licensed zoo, menagerie, alternative livestock ranch, fur farm, game bird farm, or animal rehabilitation center.

(5) Wild animals may be bought, sold, or transferred under regulations that the department prescribes.

(6) The number of wild animals in a wild animal menagerie may not exceed 10.

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• MONT. ADMIN. R. §32.3.202 - Papers Required For Importation

(1) Unless otherwise specifically provided in this rule all animals and poultry transported or moved into the state of Montana must be accompanied by an official health certificate or a permit, or both, which must be attached to the waybill or be in the possession of the driver of the vehicle or person in charge of the animals. When a single health certificate or permit is issued for animals being moved in more than one vehicle the driver of each vehicle shall have in his possession a copy of the health certificate or permit.

## **Nebraska**

- NEB. REV. STAT. §37-477 - Certain animals kept in captivity; permit required; exceptions; rules and regulations.

(1) No person shall keep in captivity in this state any wild birds, any wild mammals, any nongame wildlife in need of conservation as determined by the commission under section 37-805, or any wildlife determined to be an endangered or threatened species under the Endangered Species Act or section 37-806 without first having obtained a permit to do so as provided by section 37-478 or 37-479.

(2) Except as provided in subsection (3) of this section, no person shall keep in captivity in this state any wolf, any skunk, or any member of the families Felidae and Ursidae. This subsection shall not apply to (a) the species *Felis domesticus*, (b) any zoo, park, refuge, wildlife area, or nature center owned or operated by a city, village, state, or federal agency, or (c) any person who holds a captive wildlife permit issued pursuant to section 37-479 and who raises Canada Lynx (*Lynx canadensis*) or bobcats (*Lynx rufus*) solely for the purpose of producing furs for sale to individuals or businesses or for the purpose of producing breeding stock for sale to persons engaged in fur production.

(3) Any person legally holding in captivity, on March 1, 1986, any animal subject to the prohibition contained in subsection (2) of this section shall be allowed to keep the animal for the duration of its life. Such animal shall not be traded, sold, or otherwise disposed of without written permission from the commission.

(4) The commission shall adopt and promulgate rules and regulations governing the purchase, possession, propagation, sale, and barter of wild birds, wild mammals, and wildlife in captivity.

## **Nevada**

- NEV. ADMIN. CODE ch. 503, §110 - Restrictions on importation, transportation and possession of certain species.

1. Except as otherwise provided in this section and NAC 504.486, the importation, transportation or possession of the following species of live wildlife or hybrids thereof, including viable embryos or gametes, is prohibited:

(a) Fish:

Common Name Scientific Classification

- (1) Lampreys All species in the family Petromyzontidae
- (2) Freshwater stingray All species in the family Potamotrygonidae
- (3) Freshwater shark All species in the genus Carcharhinus
- (4) Bowfin *Amia calva*
- (5) Gars All species in the family Lepisosteidae
- (6) Herring and shad, except threadfin shad All species in the family Clupeidae, except *Dorosoma petenense*
- (7) European Whitefish All species in the genus *Leuciscus*
- (8) Mexican banded tetra *Astyanax mexicanus*
- (9) Piranhas All species in the genera *Serrasalmus*, *Serrasalmo*, *Pygocentrus*, *Teddyella*, *Rooseveltiella* and *Pygopristis*
- (10) South American Parasitic Catfish All species in the family Cetoposidae and *Trichomycteridae*
- (11) White perch *Morone americana*
- (12) Freshwater drum *Aplodinotus grunniens*
- (13) Grass carp, except certified triploids as authorized by a special permit  
*Ctenopharyngodon idella*
- (14) Pike top minnow *Belonesox belizanus*
- (15) Snakehead All species in the genera *Ophicephalus* and *Channa*
- (16) Walking catfish All species in the genera *Clarias*, *Heteropneustes* and *Dinotopterus*
- (17) Tiger fish *Hoplias malabaricus*
- (18) Sticklebacks All species in the genera *Apeltes*, *Eucalia*, *Gasterosteus* and *Pungitius*
- (19) Tilapia All species in the genera *Tilapia* and *Sarotherodon*
- (20) Nile perch All species in the genera *Lates* and *Luciolates*
- (21) Goldeye All species in the genus *Hiodon*
- (22) Carp:
  - (I) Bighead *Hypophthalmichthys nobilis*
  - (II) Black (snail) *Mylopharyngodon piceus*
  - (III) Crucian *Carassius carassius*
  - (IV) Indian Catla *catla*, *Cirrhina mrigala* and *Labeo rohita*
  - (V) Silver *Hypophthalmichthys molitrix*
- (23) Rudd *Scardinius erythrophthalmus*

(b) Reptiles:

Common Name Scientific Classification

- (1) Alligators and caimans All species in the family Alligatoridae
- (2) Crocodiles All species in the family Crocodylidae
- (3) Gharial (gavial) All species in the family Gavialidae
- (4) Bird snake All species in the genus *Thelotornis*
- (5) Boomslang *Dispholidus typus*
- (6) Keelbacks All species in the genus *Rhabdophis*

- (7) Burrowing Asps All species in the family Atractaspididae
- (8) Coral snakes, cobras, kraits, mambas and Australian elapids All species in the family Elapidae, except species in the subfamily Hydrophiinae
- (9) Pit vipers and true vipers, except species indigenous to Nevada All species in the family Viperidae, except species indigenous to Nevada
- (10) Snapping Turtles All species in the family Chelydridae

(c) Amphibians:

Common Name Scientific Classification

- (1) Clawed frogs All species in the genus *Xenopus*
- (2) Giant or marine toads *Bufo horribilis*, *Bufo marinus* and *Bufo paracnemis*

(d) Mammals:

Common Name Scientific Classification

- (1) Wild Dogs or Dhole *Cuon alpinus*
- (2) Raccoon Dog *Nyctereutes procyonoides*
- (3) Mongooses and Meerkats All species in the genera *Atilax*, *Cynictis*, *Helogale*, *Mungos*, *Suricate*, *Ichneumia* and *Herpestes*
- (4) Wild European Rabbit *Oryctolagus cuniculus*
- (5) Multimammate Rat or Mouse All species in the genus *Mastomys* (=Praomys)
- (6) Bats All species in the order Chiroptera
- (7) Nutria *Myocastor coypus*
- (8) Coyote *Canis latrans*
- (9) Foxes All species in the genera *Vulpes*, *Fennecus*, *Urocyon*, *Alopex*, *Lycalopex* and *Pseudalopex*
- (10) Raccoon *Procyon lotor*
- (11) Skunk All species in the genera *Spilogale*, *Mephitis* and *Conepatus*
- (12) Wild pigs and hogs All species in the family Suidae, except domestic breeds of *Sus scrofa*
- (13) Axis deer *Cervus* (=Axis) *axis*, *C. porcinus*, *C. kuhli* and *C. calamianesis*
- (14) Red deer, elk and wapiti All subspecies of *Cervus elaphus*, except those members of *C. Elaphus nelsoni* which are alternative livestock, as that term is defined in NRS 501.003
- (15) Rusa deer *Cervus timorensis*
- (16) Sambar deer *Cervus unicolor*
- (17) Sika deer *Cervus nippon*
- (18) Roe deer *Capreolus capreolus* and *C. pygargus*
- (19) White-tailed deer *Odocoileus virginianus*
- (20) Moose *Alces alces*
- (21) Reedbucks All species in the genus *Redunca*
- (22) Oryx and Gemsbok All species in the genus *Oryx*
- (23) Addax *Addax nasomaculatus*
- (24) Blesbok, Topi and Bontebok All species in the genus *Damaliscus*
- (25) Hartebeests All species in the genera *Alcelaphus* and *Sigmoceros*



- (26) Wildebeest and Gnus All species in the genus *Connochaetes*
- (27) Chamois *Rubicapra rubicapra* and *R. pyrenaica*
- (28) Tahr All species in the genus *Hemitragus*
- (29) Ibex, Wild Goats, Tur and Markhor All species in the genus *Capra*, except domestic goats, *Capra hircus*
- (30) Barbary (Aoudad) Sheep *Ammotragus lervia*
- (31) Mouflon sheep, Urial, Bighorn and Argali All species in the genus *Ovis*, except domestic sheep, *Ovis aries*

(e) Birds:

Common Name Scientific Classification

- (1) Pink Starling or Rosy Pastor *Sturnus roseus*
- (2) Red-billed Dioch *Quelea quelea*
- (3) Red-whiskered Bul-bul *Pycnonotus jososus*

(f) Crustaceans:

Common Name Scientific Classification

- (1) Asiatic mitten crab *Eriocheir sinensis*
- (2) Crayfish All species in the families *Parastacidae*, *ambaridae* and *Astacidae*, except *Procambarus clarkii*, *Orconectes causii* and indigenous species of the genus *Pacifastacus*

(g) Mollusks:

Common Name Scientific Classification

- (1) African giant snail *Achatina fulica*
- (2) Zebra mussel *Dreissena polymorpha*

2. The office in Reno and each regional office of the division will maintain a physical description and picture of each species listed in this section when reasonably available.

3. The division may issue a permit or license for the importation, transportation or possession of a species listed in this section only to:

(a) A zoo or aquarium which is an accredited institutional member of the American Association of Zoological Parks and Aquariums.

(b) A person who displays, exhibits or uses the species for entertainment or commercial photography, such as motion pictures, still photography or television, if the species:

(1) Is accompanied by evidence of lawful possession;

(2) Is not in this state for more than 90 days; and

(3) Is maintained under complete control and prohibited from coming into contact with members of the general public. If the person is displaying, exhibiting or using mammals for commercial purposes other than for food or fiber, he must possess the appropriate license issued by the United States Department of Agriculture.

(c) A college, university or governmental agency, for scientific or public health research.

(d) Any other scientific institution, as determined by the division, for research or medical necessity.

(e) Any person engaged in commercial aquaculture, upon application and proof to the division that the activity will not be detrimental to aquatic life, other wildlife or recreational uses. As a condition of the issuance to such a person of a license for the possession of a species listed in this section, a bond may be required to provide for the removal of any species to which the licenses applies that may escape or be released from captivity for any reason. The amount of the bond will be determined by the division after considering the degree of potential hazard to wildlife.

(f) A tax-exempt nonprofit organization that exhibits wildlife solely for educational or scientific purposes.

4. An interstate shipment of a species listed in this section may be transported through this state, without a permit or license issued by the division, if:

(a) The shipper or transporter has evidence of lawful possession of the species issued by the state or country where the species originated;

(b) Mammals, birds or fish are accompanied by a health certificate issued by the state or country where the species originated that indicates the destination, origin and proof of ownership of the species being transported;

(c) The species is in this state for less than 48 hours; and

(d) The species is not unloaded or otherwise released while being transported through this state.

5. This section does not apply to the division when it is conducting authorized introductions or transplantations of a native species of big game animal listed in this section.

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• NEV. ADMIN. CODE ch. 503, §140 - Species for which certain permits and licenses are not required: Specification; release; sale; exceptions.

1. Except as otherwise provided in subsection 4 and NAC 503.500 to 503.535, inclusive, the following animals may be possessed, transported, imported and exported without a permit or license issued by the division:

- (a) Canaries;
- (b) Toucans;
- (c) Lovebirds;
- (d) Nonindigenous house finches;
- (e) Parakeets;
- (f) Cockatiels;
- (g) Mynah birds;
- (h) Parrots;
- (i) Hamsters;
- (j) Domesticated races of rats and mice;
- (k) Gerbils;
- (l) Guinea pigs;
- (m) Monkeys and other primates;
- (n) Aquarium fish;
- (o) Marsupials;
- (p) Elephants;
- (q) All felines, except mountain lions and bobcats;
- (r) Wolves;
- (s) Camels (*Camelus spp.*);
- (t) European ferret (*Mustela putorius*);
- (u) Llamas (*Lama glama*);

- (v) American Bison;
- (w) Marine mammals;
- (x) Ostrich (*Struthio* spp.);
- (y) Emus (*Dromiceius* spp.);
- (z) Rheas (*Rhea* spp.);
- (aa) Nonvenomous, nonindigenous reptile species and subspecies;
- (bb) Albino forms of indigenous reptile species;
- (cc) Alpaca (*Lama pacos*);
- (dd) Guinea fowl (*Numida meleagris*);
- (ee) Old World species of pheasants, partridges, quails, francolin, peafowl and jungle fowl (nonendemic species of the subfamily Phasianae), except:
  - (1) Chukar partridge;
  - (2) Hungarian (gray) partridge;
  - (3) Snow cock; and
  - (4) Ring-necked and white, winged pheasant;
- (ff) Domesticated races of turkey (*Meleagris gallopavo*), distinguished morphologically from wild birds;
- (gg) Domesticated races of ducks and geese (*Anatidae*), distinguished morphologically from wild birds;
- (hh) Domesticated races of chinchillas;
- (ii) Domesticated races of mink;
- (jj) Waterfowl reared in captivity that are lawfully acquired pursuant to the regulations adopted by the United States Fish and Wildlife Service;
- (kk) Those species of ducks, geese and swans not listed as protected pursuant to the Migratory Bird Treaty Act, 16 U.S.C. §§ 703 et seq.;
- (ll) Yak (*Bos grunniens*);

(mm) Cassowary;

(nn) Coturnix quail (*Coturnix coturnix*);

(oo) Zebra (*Equus spp.*);

(pp) Salt water fish, crustaceans and mollusks;

(qq) Nonindigenous species of amphibians, except:

(1) Bullfrogs (*Rana catesbeiana*); and

(2) Species listed in NAC 503.110;

(rr) African pygmy hedgehogs (*Atelerix albiventris*); and

(ss) California kingsnakes (*Lampropeltis getulus californiae*) that do not have between their head and vent a continuous pattern of bands or rings regardless of whether the bands or rings are opened or closed.

2. Species listed in this section must not be released into the wild, except as otherwise authorized by the division in writing.

3. Except as otherwise provided in subsection 4, lawfully acquired species listed in this section may be sold in Nevada.

4. This section does not authorize the sale, possession, transportation, importation or exportation of animals in violation of any applicable federal or state law, county or city ordinance, or any regulation adopted pursuant thereto.

5. As used in this section, "aquarium fish" includes all the species of fish, except the species listed in NAC 503.110, which are listed in H. Axelrod and W. Vorderwinkler, *Encyclopedia of Tropical Fishes*, 29th ed., 1988. A copy of that publication may be obtained from T.F.H. Publications, Inc., One T.F.H. Plaza, Neptune City, New Jersey 07753, for a price of \$17.59.

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• NEV. ADMIN. CODE ch. 504, §488 - Possession of live animals under authority of permit or license held on February 28, 1994.

A person who, on February 28, 1994, holds any permit or license issued by the division that authorizes the possession of a live animal may, except as otherwise provided in the

particular permit or license, continue to possess that animal and its progeny for the life of that animal and its progeny. The animal and its progeny:

1. Must not, if the animal is of a species listed in NAC 503.110, be released, sold, bartered, given away or traded within this state.
2. Must not, if the animal is not of a species listed in NAC 503.110, be:
  - (a) Released in this state without the prior written authorization of the division; or
  - (b) Sold, bartered, given away or traded within this state except:
    - (1) Pursuant to the conditions set forth in the permit or license under which the animal and its progeny are held; and
    - (2) To a person who holds a commercial or noncommercial license for the same species.
3. May be exported out of this state pursuant to applicable federal and state laws and any regulations adopted pursuant thereto.

## **New Hampshire**

### • N.H. REV. STATE. ANN. §207:14 - Importing and Releasing.

I. No person shall import, possess, sell, exhibit, or release any live marine species or wildlife, or the eggs or progeny thereof, without first obtaining a permit from the executive director except as permitted under title XVIII. The executive director shall have the authority to determine the time period and any other conditions governing the issuance of such permit. The executive director may refuse to issue a permit if he determines that such issuance may pose significant disease, genetic, ecological, environmental, health, safety, or welfare risks to persons, marine species or wildlife.

II. The executive director shall adopt rules, pursuant to RSA 541-A, to administer this section and relative to the importation, possession, exhibition, sale or release of all marine species and wildlife, including, but not limited to:

- (a) Size, sex, number and quantity.
- (b) Transportation, within or through the state of New Hampshire.
- (c) Sale, inspection, processing, recordkeeping and marking.
- (d) Method of keeping.
- (e) Areas of release.

(f) Method of release.

(g) Method of taking.

(h) Permit fee schedules.

(i) Appropriate definitions.

III. The executive director may establish a list of marine species or wildlife or the eggs or progeny of such marine species or wildlife which may be exempted from any or all of the provisions of RSA 207:14.

IV. Except where otherwise provided, any person who violates this section or any rule adopted under this section shall be guilty of a violation and guilty of an additional violation for each marine species or wildlife possessed contrary to the provisions of this section.

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• N.H. CODE ADMIN. R FIS 804 - POSSESSION OF WILDLIFE

PART Fis 802 GENERAL CHAPTER REQUIREMENTS

Fis 802.01 Permittee Categories.

(a) For the purposes of this chapter the permittee categories shall be as follows:

(1) An individual person shall be permittee category 1;

(2) A propagator shall be permittee category 2;

(3) An individual training and shooting permittee shall be category 3.

(4) The person operating a regulated shooting area shall be permittee category 4;

(5) An exhibitor shall be permittee category 5; and

(6) An aquaculturist shall be permittee category 6.

Fis 804.01 Definitions.

(a) "Cage" means an area enclosed on all sides and has a top and a bottom.

(b) "Enclosure" means an area enclosed on all sides.

Fis 804.02 Non-controlled Species - Possession.

(a) A permit to possess wildlife shall not be required for any person to possess wildlife designated as non-controlled as specified in (b), below.

(b) For purposes of this part, the following species or groups of wildlife shall be designated as non-controlled:

(1) Ornamental aquarium fish, both fresh and marine that shall be kept in a closed system;

(2) Amphibians;

(3) Non-venomous reptiles, except the following:

a. Spotted turtles (*Clemmys guttata*);

b. Blanding's turtles (*Emydoidea blandingii*);

c. Wood turtles (*Clemmys insculpta*); and

d. Eastern box turtles (*Terrapene carolina carolina*);

(3) The following exotic birds:

a. Cockatiel (*Nymphicus hollandicus*)

b. Canaries (*Serinus* spp.);

c. Parrots (*Psittaciformes*);

d. Parakeets (*Budgerigar*) except Monk Parakeet (*Myiopsitta monachus*);

e. Mynah Birds (*Acridotheres* spp);

f. Finches (*Estrildidae* spp);

g. Pekin robin (*Leiothrip lutea*);

h. Weavers (*Ploceidae*);

i. Toucans (*Ramphastidae*);

j. Button quail (*Turnicidae*);



- k. Pigeons and doves (Columbiformes), exotic; and
- l. Feral pigeons (*Columba domestica* and *C. livia*);
- m. Emu (*Dromaius novaehollandire*);
- n. Ostrich (*Struthis camelus*);
- o. Rehas (Rheidae);
- p. Waterfowl, exotic migratory except mute swans;
- q. Waterfowl, mallard by individuals in category 1;
- r. Gallinaceous birds, except:
  - 1. Bobwhite quail, Northern (*Colinus virginianus*);
  - 2. Grouse, Ruffed (*Bonasa umbellus*);
  - 3. Grouse, Spruce (*Dendragapus canadensis*);
  - 4. Pheasant, Ring-necked (*Phasianus colchicus*);
  - 5. Partridge, Chuckar and Redleg (*Alectoris chuka*); and
  - 6. Partridge, Grey/Hungarian (*Perdix perdix*);
- (4) The following mammals:
  - a. Chinchillas, domesticated, (*Chinchilla* spp);
  - b. Gerbils, domesticated;
  - c. Guinea Pigs, domesticated (*Cavia* spp);
  - d. Hamsters, domesticated (*Cricetus cricetus*);
  - e. Mice, domesticated (*Mus musculus*);
  - f. Rats, domesticated (*Rattus norvegicus* and *Rattus rattus*);
  - g. Ferrets, domesticated (*Mustela putorius furo*);
  - h. Llamas (*Lama glama*);

- i. Alpaca (*Lama pacos*);
- j. Pot belly pigs, domesticated;
- k. Rabbits, domesticated;
- l. African pigmy hedgehog;
- m. Sugar glider (*Petaurus breviceps*);
- n. Tenrec (*Tenrec ecaudatus*); and
- o. Yak (*Bos grunniens*)

Fis 804.03 Prohibited Species - Possession.

(a) No person shall be issued a permit to possess wildlife that has been designated as prohibited as specified in Fis 804.03(b).

(b) For the purposes of this part, the following species or groups of wildlife shall be designated as prohibited:

(1) The following invertebrates:

- a. Zebra mussel; and
- b. All non-indigenous crayfish; and

(2) The following fish:

- a. Walking catfish (*Clarias batrachus*);
- b. White amur/grass carp (*Ctenopharyngodon idella*);
- c. European rudd (*Scardinius erythrophthalmus*); and
- d. Round goby (*Neogobius melanostomus*); and

(3) Monk Parakeet (*Myiopsitta monachus*).

Fis 804.04 Permits To Possess Wildlife.

(a) No live wildlife designated as controlled, the eggs or progeny thereof, shall be possessed without a permit to possess wildlife or except as otherwise permitted under RSA 207:1-a, 214:34-d and 209-A:3, IV.

(b) All species not specifically listed under the categories of non-controlled, prohibited or controlled shall be designated as controlled and shall require a permit to possess.

(c) The executive director shall review each application to possess and shall make a determination as to whether such possession shall be permitted. No permit to possess shall be issued if there is any significant disease, genetic, ecological, environmental, health, safety or welfare risks to the public or other wildlife species.

(d) In order to determine such a determination, the executive director shall consider the following criteria such as but not limited to:

(1) Life cycle;

(2) Life history;

(3) Reproduction habits;

(4) Habitat requirements;

(5) Interaction with competing species for food/habitat;

(6) The ability of the species to survive or not survive in New Hampshire' environment;

(7) Geographic distribution in the wild;

(8) Source of wildlife; and

(9) Competition with indigenous species.

(e) No possession of wildlife shall take place until a permit is issued by the executive director.

(f) Permits to possess wildlife as specified in Fis 804.05(a) shall expire on December 31 of the calendar year of issuance, unless sooner revoked.

(g) The permit shall be valid only for the facilities or locations described in the application and the permit shall not be transferable or assignable.

(h) Application for a permit to possess shall be submitted no less than 30 days in advance of the date of possession.

(i) Health certificates shall meet standards set forth by the United States Department of Agriculture pursuant to 9 CFR, 2.78 and/or the New Hampshire Department of Agriculture.

Fis 804.05 Controlled Species - Possession.

(a) A permit to possess wildlife shall be required for all species designated as controlled as cited in the controlled table under (b), below.

(b) A permit shall be issued only to a person in the permittee category(ies), as defined in Fis 802.01, and cited Table 800.2:

Table 800.2 Controlled Species Table - Possession

PERMITTEE CATEGORY SPECIES SCIENTIFIC NAME

Reptiles

- 5 All venomous reptiles
- 5 Blanding's turtles *Emydoidea blandingii*
- 5 Eastern box turtles *Terrapene carolina carolina*
- 5 Spotted turtles *Clemmys guttata*
- 5 Wood turtles *Clemmys insculpta*

Fish

- 1, 6 Channel catfish
- 1, 6 Talapia
- 1, 6 Hybrid striped bass

Birds

- 5 All native species
- 1,2, 5 All waterfowl, indigenous and naturalized, except
- 2, 3, 4, 5 Mallard *Anas platyrhynchos*
- 2, 5 Mute Swans *Cygnus olor*

Gallinaceous Birds:

- 1, 2, 3, 4, 5 Bobwhite Quail, Northern *Colinus virginianus*
- 5 Grouse, Ruffed *Bonasa umbellus*
- 5 Grouse, Spruce *Dendragapus canadensis*
- 1, 2, 3, 4, 5 Pheasant, Ring-necked *Phasianus colchicus*
- 1, 2, 3, 4, 5 Partridge, Chukar /Redleg *Alectoris chuka*
- 1, 2, 3, 4, 5 Partridge, Grey/Hungarian *Perdix perdix*

Mammals

- 5 Armadillo
- 5 Bat, Big Brown *Eptesicus fuscus*
- 5 Bat, Hoary *Lasiurus cinereus*
- 5 Bat, Red *Lasiurus borealis*
- 5 Bat, Silver-haired *Lasionycteris noctivagans*
- 5 Bear, Black *Ursus americanus*
- 5 Beaver *Castor canadensis*
- 1, 2, 5 Bison *Bison bison*, *B. bonasus*
- 5 Boar , wild *Sus scrofa*

5 Bobcat *Felis rufus*  
5 Camel *Camelus* spp  
5 Caribou/Reindeer *Rangifer tarandus*  
5 Chipmunk, Eastern *Tamias striatus*  
5 Coatimundi *Nasua nasua*  
1, 2, 4 & 5 Cottontail, Eastern *Sylvilagus floridanus*  
1, 2, 4 & 5 Cottontail, New England *Sylvilagus transitionalis*  
5 Cougar *Felis concolor*  
5 Coyote *Canis latrans*  
5 Dama Wallaby  
2,5 Deer, Fallow *Dama dama*  
2, 5 Deer, Red *Cervuselaphus*  
2, 5 Deer, Sika *Cervus nippon*  
5 Deer, White-tailed *Odocoileus virginianus*  
5 Elephant *Elaphus maximus*, *Loredomta africans*  
2, 5 Elk *Cervus elephus canadensis*  
5 Fisher *Martes pennanti*  
5 Fox, Gray *Urocyon cinereoargenteus*  
5 Fox, Red *Vulpes vulpes*  
5 Genet *Genetta* spp  
5 Hyena  
1, 2, 4 & 5 Hare, Snowshoe *Lepus americanus*  
5 Kinkajou *Potos flavus*  
5 Lemming, Northern Bog *Synaptomys borealis*  
5 Lemming, Southern Bog *Synaptomys cooperi*  
5 Leopard Panther *umeia* , *P. pardus*, *Neofelis nebulosa*  
5 Lion *Panthera leo*  
5 Lynx *Lynx canadensis*  
5 Marten *Martes americana*  
5 Mink *Mustela vison*  
5 Mole, Hairy-tailed *Parascalops breweri*  
5 Mole, Star-nosed *Condylura cristata*  
5 Moose *Alces alces*  
5 Mouse, Deer *Peromyscus maniculatus*  
5 Mouse, Meadow Jumping *Zapus hudsonius*  
5 Mouse, White-footed *Peromyscus leucopus*  
5 Mouse, Woodland Jumping *Napaeozapus insignis*  
5 Muskrat *Odontra zibethicus*  
5 Myotis, Keen's *Myotis keenii*  
5 Myotis, Little Brown *Myotis lucifugus*  
5 Myotis, Small-footed *Myotis leibii*  
5 Opossum, Virginia *Didelphis virginiana*  
5 Otter, River *Lutra canadensis*  
5 Pipistrelle, Eastern *Pipistrellus subflavus*  
5 Porcupine *Erethizon dorsatum*  
5 Prairie Dog *Cynomys*, spp.

5 Primates to include:  
 Chimpanzee *Pan troglodytes*  
 Gorilla *gorilla gorilla*  
 Orangutan *Pongo pygmaeus*  
 Baboons *Papio spp*  
 Spider Monkey *Ateles spp*  
 Squirrel Monkey *Saimici spp*  
 Capuchin *Cebus spp*  
 Rhesus *Macaca mulatta*  
 5 Raccoon *Procyon lotor*  
 5 Rat, Norway *Rattus norvegicus*  
 5 Shrew, Long-tailed *Sorex dispar*  
 5 Shrew, Masked *Sorex cinereus*  
 5 Shrew, Pygmy *Sorex hoyi*  
 5 Shrew, Short-tailed *Blarina brevicauda*  
 5 Shrew, Smoky *Sorex fumeus*  
 5 Shrew, Water *Sorex palustris*  
 5 Skunk, Striped *Mephitis mephitis*  
 5 Squirrel, Gray *Sciurus carolinensis*  
 5 Squirrel, Northern Flying *Glaucomys sabrinus*  
 5 Squirrel, Red *Tamiasciurus hudsonicus*  
 5 Squirrel, Southern Flying *Glaucomys volans*  
 5 Tiger *Panthera tigris*  
 5 Two-Toed Sloth *Choloepus didactylus*  
 5 Vole, Meadow *Microtus pennsylvanicus*  
 5 Vole, Northern Red-backed *Clethrionomys gapperi*  
 5 Vole, Rock *Microtus chrotorrhinus*  
 5 Vole, Woodland *Microtus pinetorum*  
 5 Weasel, Least *Erminea rixosa*  
 5 Weasel, Long-tailed *Mustela frenata*  
 5 Weasel, Short-tailed *Mustela erminea*  
 5 Woodchuck *Marmota monax*  
 5 Wolf *Canis lupus*

## **New Jersey**

• N.J. ADMIN. CODE tit. 7, §25-4.8 - Potentially dangerous species

(a) "Potentially dangerous species" is defined as any exotic mammals, birds, reptiles or amphibians or nongame species which, in the opinion of the Division, is capable of inflicting serious or fatal injuries or which has the potential to become an agricultural pest or a menace to the public health or indigenous wildlife populations, including, but not limited to the following:

Class/Order Family/Genus

Primates Cebidae - New World Monkeys  
Cercopithecidae - Old World Monkeys and Baboons  
Pongidae - Apes  
Carnivora Canidae - Nondomestic dogs  
Ursidae - Bears  
Felidae - Nondomestic cats  
Sauria (Venomous) Helodermatidae - Gila Monsters  
Serpentes (Venomous) Elapidae - Coral snakes and cobras  
Viperidae - Vipers  
Crotalidae - Pit Vipers  
Crocodilia Alligatoridae - Alligators and caiman  
Crocodylidae - crocodiles  
Gavialidae - gavials  
Psittaciformes Psittaculis spp. - Ring-necked parakeets  
Myiopsitta spp. - Monk parakeets  
Cyanoliseus patagonus - Patagonian Conures  
Rodentia Cynomys spp. - Prairie dogs  
Spermophilus spp. - Ground Squirrels

(b) The Department, in its discretion, may issue a permit for possession of a potentially dangerous species only after a clear showing that the criteria for the possession of such potentially dangerous species contained in N.J.A.C. 7:25-4.9 have been met.

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• N.J. ADMIN. CODE tit. 7, §25-4.9 - Criteria for the possession of potentially dangerous species

(a) In addition to the general criteria enumerated above in N.J.A.C. 7:25-4.7, every person applying for a permit to possess potentially dangerous species shall meet each and every of the following criteria to the satisfaction of the Division.

1. Education and Background: Persons wishing to apply for a permit to possess a potentially dangerous species must have extensive experience in maintaining the species desired or related species.

2. Knowledge: Persons wishing to apply for a permit to possess potentially dangerous species must demonstrate a working knowledge and expertise in handling and caring for each of the species desired.

3. Protection of the Public: The housing facilities shall also be constructed to prevent public access to and contact with the animal. The potentially dangerous species shall not be kept as a pet, for hobby purposes or in situations, which, in the judgment of the

Department, could adversely affect the health of the animal or which could constitute a hazard to the public.

4. Purpose and Intent: Persons applying to possess potentially dangerous species must submit a written statement of the purpose and intent of keeping the species.

5. Housing and Feeding: Persons applying for a permit to possess a potentially dangerous species must supply a written description of the housing and caging facilities for the species required. A summary must be submitted of a continuous source of food for the specific diet of the animals. Division personnel may inspect the completed facilities to determine if the facilities are suitable for the animal. Facilities must be constructed to prevent the possible escape of the animal.

6. Other restrictions: Under no circumstances shall a person issued a pet shop or animal dealer permit possess any potentially dangerous species on the commercial premises, except in emergencies and for a limited period of time as stipulated by the Department in writing and subsequently agreed to by the animal dealer or pet shop owner, who shall assume full responsibility for the safety and welfare of both the animal and the public during its temporary storage. A potentially dangerous animal already on display at the premises of a pet shop or animal dealer and already under a permit for such display as of January 17, 1995 may remain so displayed under the terms and conditions of that permit for the lifetime of that animal.

## **New Mexico**

Policy Statement by the Department of Game & Fish:

It is unlawful for a person to possess non-domesticated felines, primates, crocodiles, alligators, and wolves.

## **New York**

• N.Y. ENVTL. CONSERV. §11-0511 - Env'tl. Conserv. Possession and transportation of wildlife.

No person shall, except under a license or permit first obtained from the department containing the prominent warning notice specified in subdivision nine of section 11-0917 of this article, possess, transport or cause to be transported, imported or exported any live wolf, wolfdog, coyote, coydog, fox, skunk, venomous reptile or raccoon, endangered species designated pursuant to section 11-0535 hereof, species named in section 11-0536 or other species of native or non-native live wildlife or fish where the department finds that possession, transportation, importation or exportation of such species of wildlife or fish would present a danger to the health or welfare of the people of the state, an individual resident or indigenous fish or wildlife population. Environmental conservation



officers, forest rangers and members of the state police may seize every such animal possessed without such license or permit. No action for damages shall lie for such seizure, and disposition of seized animals shall be at the discretion of the department.

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· N.Y. ENVTL. CONSERV. §11-0536 - Env'tl. Conserv. Sale of certain wild animals or wild animal products prohibited.

1. Except as provided in subdivision three hereof, no part of the skin or body, whether raw or manufactured, of the following species of wild animals or the animal itself may be sold or offered for sale by any individual, firm, corporation, association or partnership within the state of New York: - Leopard (*Panthera pardus*), Snow Leopard (*Uncia*), Clouded Leopard (*Neofelis nebulosa*), Tiger (*Panthera tigris*), Asiatic Lion (*Panthera leo persica*), Cheetah (*Acinonyx jubatus*), Alligators, Caiman or Crocodile of the Order Crocodylia (except as provided in subdivision two of this section), tortoises of the genus *Gopherus*, marine turtles of the family Cheloniidae and the family Dermochelidae, Vicuna (*Vicugna vicugna*), Wolf (*Canis lupus*), Red Wolf (*Canis niger*), or Kangaroo (Macropodidae) or Polar Bear (*Thalarctos maritimus*), Mountain Lion, sometimes called Cougar (*Felis concolor*), Jaguar (*Panthera onca*), Ocelot (*Felis pardalis*), or Margay (*Felis wiedii*), Sumatran Rhinoceros (*Dicerorhinus sumatrensis*), or Black Rhinoceros (*Dicero bicornis*).

2. The commissioner may permit, under such terms and conditions as he may prescribe, the importation and sale of the skin, body or parts thereof of Alligators, Caiman or Crocodile of the Order Crocodylia.

3. Any officer or agent authorized by the commissioner, or any police officer of the state of New York, or any police officer of any municipality within the state of New York, shall have authority to execute any warrant to search for and seize any goods, merchandise or wildlife sold or offered for sale in violation of this section, or any property or item used in connection with a violation of this section; such goods, merchandise, wildlife or property shall be held pending proceedings in any court of proper jurisdiction. Upon conviction, or upon the entry of a judgment restraining the sale or offer for sale of such goods, merchandise or wildlife on the ground that such items were sold or offered for sale in violation of this section, such seized goods, merchandise or wildlife shall be forfeited and, upon forfeiture, either offered to a recognized institution for scientific or educational purposes, or destroyed.

4. The commissioner may permit, under such terms and conditions as he may prescribe, the importation, transportation, possession or sale of any species or subspecies of fish or wildlife listed in this section for zoological, educational, and scientific purposes, and for the propagation of such fish or wildlife in captivity for preservation purposes, unless such importation, transportation, possession or sale is prohibited by any federal law or regulation.

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· N.Y. ENVTL. CONSERV. §11-0917 - Env'tl. Conserv. Possession, transportation and sale of wild game and other wildlife.

1. Wild game and other wildlife, taken in this state, and parts thereof, may, if lawfully taken, be

a. possessed.

b. transported within the state and from within to without the state, and

c. bought and sold, as provided in this section and in the sections of the Fish and Wildlife Law and regulations of the department to which this section refers, and not otherwise. It shall not be possessed, transported, bought or sold unless lawfully taken, nor transported, bought or sold unless lawfully possessed. Nothing in this section applies to any game which is not wild game, as defined in subdivision 2 of section 11-0103.

2. Unprotected wildlife may be possessed, transported, bought and sold without restriction except as provided in subdivision 9 or subdivision 10.

3. Game for propagation purposes may be transported without restriction except as provided in subdivision 8 or subdivision 10.

4. The carcasses, flesh, head, hide, feet or fur of wildlife, except birds, may be bought and sold without restriction, except as provided in subdivisions 8, 9 or 10. The head, skin plumage, hide, feet or fur of wildlife may be possessed and transported without restriction except (a) as provided in section 11-0911 with respect to deer, (b) as provided in subdivision 9 with respect to birds, and (c) as provided in subdivision 8 or subdivision 10.

5. Game taken and possessed in one part of the state may be transported as provided in this section by the taker, or any person who acquires it lawfully from the taker, and possessed by the taker or by such person in any part of the state for the period during which it may be possessed at the place where taken.

6. Skunk, bobcat, mink, raccoon and muskrat may be bought and sold alive during their respective open seasons.

8. Migratory game birds and beaver, fisher, otter, bobcat, coyote, fox, raccoon, skunk, muskrat and mink shall be possessed, transported and disposed of only as permitted by regulation of the department.

9. a. The flesh of cottontail rabbits, varying hares, European hares, squirrels, bear and deer shall not be bought or sold, except as provided in section 11-1713 with respect to bear.

b. Notwithstanding paragraph a of this subdivision, game legally taken may be possessed, prepared and served by a non-profit organization at any meeting for the members and guests provided that there is no charge for the meal.

c. Game legally taken may be donated to, and possessed, prepared and distributed by a charitable or not-for-profit organization which serves or distributes food without cost to the poor or needy. Game or packages of game donated pursuant to this paragraph shall, notwithstanding the requirements for tagging and labelling of game contained in paragraph b of subdivision 5 of section 11-0911 of this chapter, be tagged, labelled or marked "not for sale" and such tag, label or marking shall identify the type of meat, the license number of the taker, the name and address of the professional processor of the game and the date of processing. The department shall make available instructions for the safe and sanitary preparation of game, a list of professional processors where potential donors may take their game for preparation and packaging and a list of charitable or not-for-profit organizations which accept donations of game. Professional processors, charitable and not-for-profit organizations may notify the department of their intention to participate in such distribution, and the department shall include them in its lists unless good cause otherwise exists.

d. The dead bodies of birds belonging to all species or subspecies native to this state, defined in section 11-0103, subdivision 5 as protected wild birds, or belonging to any family of which any species or subspecies is native to this state, and is so defined in section 11-0103, subdivision 5 shall not be sold, offered for sale or possessed for sale, for food purposes.

e. The plumage, skin or body of any wild bird shall not be sold, possessed for sale or offered for sale except as permitted by section 11-1729 or 11-1731 of the Fish and Wildlife Law.

f. No live wolf, coyote, coydog, fox, skunk, venomous reptile or raccoon shall be possessed or transported, except under a license or permit issued by the department. Every such license or permit shall contain a prominent notice thereon warning the licensee or permittee of his or her duty to exercise due care in safeguarding the public from attack by such wild animal or venomous reptile and that failure to do so is a crime under section three hundred seventy of the agriculture and markets law. The provisions of the opening paragraph of section three hundred seventy of the agriculture and markets law except the last sentence thereof shall be set forth on such license or permit immediately following such warning notice.

10. No wildlife shall be possessed, transported or sold contrary to the terms of any statute, or regulation, permit or license of the department, pursuant to which it was taken or acquired.

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· N.Y. AGRIC. & MKTS. §370 - Protection of the public from attack by wild animals and reptiles.

Any person owning, possessing or harboring a wild animal or reptile capable of inflicting bodily harm upon a human being, who shall fail to exercise due care in safeguarding the public from attack by such wild animal or reptile, is guilty of a misdemeanor, punishable by imprisonment for not more than one year, or by a fine of not more than five hundred dollars, or by both. "Wild animal" within the meaning of this section, shall not include a dog or cat or other domestic animal.

Previous attacks upon a human being by such wild animal or reptile, or knowledge of the vicious propensities of such wild animal or reptile, on the part of the possessor or harbinger thereof, shall not be required to be proven by the people upon a prosecution hereunder; and neither the fact that such wild animal or reptile has not previously attacked a human being, nor lack of knowledge of the vicious propensities of such wild animal or reptile on the part of the owner, possessor or harbinger thereof shall constitute a defense to a prosecution hereunder.

### **North Carolina**

• N.C. SESS. LAWS §153A-131 - Possession or harboring of dangerous animals.

A county may by ordinance regulate, restrict, or prohibit the possession or harboring of animals which are dangerous to persons or property. No such ordinance shall have the effect of permitting any activity or condition with respect to a wild animal which is prohibited or more severely restricted by regulations of the Wildlife Resources Commission.

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• N.C. SESS. LAWS §160A-187 - Possession or harboring of dangerous animals.

A city may by ordinance regulate, restrict, or prohibit the possession or harboring within the city of animals which are dangerous to persons or property. No such ordinance shall have the effect of permitting any activity or condition with respect to a wild animal which is prohibited or more severely restricted by regulations of the Wildlife Resources Commission.

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• N.C. ADMIN. CODE tit. 2, r. 52B.0212 - IMPORTATION REQUIREMENTS: WILD ANIMALS

(a) A person shall obtain a permit from the State Veterinarian before importing any of the following animals into this State:

(1) Skunk;

(2) Fox;

(3) Raccoon;

(4) Ringtail;

(5) Bobcat (includes Lynx and other North and South American felines as cougars, jaguars, etc.);

(6) Coyote;

(7) Marten;

(8) Brushtail Possum (*Trichosurus vulpecula*).

(b) Permits for the importation into this State of any of the animals listed in (a) of this Rule shall be issued only if the animal(s) will be used in a research institute or for public display or organized entertainment as in zoos or circuses.

(c) Camelids, all cervidae, bison, and all other bovidae other than domestic cattle may be imported into the State if accompanied by an official health certificate issued by an accredited veterinarian which states that:

(1) all animals six months of age or older have tested negative for brucellosis within 30 days prior to importation; and

(2) all animals six months of age or older have tested negative for tuberculosis within 60 days prior to importation; and

(3) all cervidae meet the requirements of the Uniform Methods and Rules: Tuberculosis in Cervidae; and

(4) the herd of origin has had no brucellosis or tuberculosis diagnosed within the past 12 months.

(d) Any species or hybrid of a mammal not otherwise covered in the Administrative Code that is found to exist in the wild or naturally occurs in the wild must be accompanied by a valid certificate of veterinary inspection.

## **North Dakota**

• N.D. ADMIN. CODE §48-12-01-02 - Definitions.

For purposes of this chapter:

1. "Board" means the North Dakota board of animal health.
2. "Domestic animal" means dog, cat, horse, bovine animal, sheep, goat, bison, llama, alpaca, or swine.
3. "Herd" means all animals commingled with other animals of the same species owned by the same person, which are confined to specific premises.
4. "Hybrid" means an animal produced by crossing species or subspecies.
5. "License" means a document obtained from the board for the raising or propagation of a species in North Dakota.
6. "Nontraditional livestock" means any wildlife held in a cage, fence, enclosure, or other manmade means of confinement that limits its movement within definite boundaries, or an animal that is physically altered to limit movement and facilitate capture.

Category 1: Those animals that are similar to but have not been included as domestic species, including turkeys, geese, ducks (morphologically distinguishable from wild turkeys, geese, ducks), pigeons, and mules or donkeys. (These animals are subject to the rules of domestic animals.)

Category 2: Those species that have been domesticated, including ostrich, emu, chinchilla, guinea fowl, ferret, ranch foxes, ranch mink, peafowl, all pheasants not in category 3, quail, chukar, and Russian lynx. Category 2 species imported must meet the health requirements as set forth in this chapter.

Category 3: Those species that are indistinguishable from wild, indigenous species or present a health risk to wild and domestic species, or both, including elk, deer (except those listed under subdivisions a and b of subsection 3 of section 48-12-01-03), reindeer, bighorn sheep, fallow deer, ring-necked pheasant, Bohemian pheasant, sichuan pheasant, Canadian lynx, bobcat, and raptor.

Category 4: Those species that are considered inherently or environmentally dangerous, including bears, wolves, wolf hybrids, primates, lions, tigers, and cats (not listed previously).

Category 5: Those species that are not categorized in categories 1 through 4 require a special license, the requirements of which will be established by the board.

7. "Permit" means a document obtained from the board for the importation of animals into North Dakota.

8. "Person" means any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity.

9. "Possess" means to own, control, restrain, transport, or keep in captivity.

10. "Zoo" means an organization with a class C exhibitor's permit, which follows United States department of agriculture (USDA) regulations and are inspected by USDA/APHIS.

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• N.D. ADMIN. CODE §48-12-01-03 - Permit and license requirements.

All nontraditional livestock premises must be licensed and comply with the administrative rules of the board and applicable statutes. Licenses are not required for categories 1 and 2. An owner of category 2 species must comply with all health requirements as set forth in subdivisions e and f of subsection 1.

1. Category 3, 4, or 5 nontraditional livestock may be imported into North Dakota only after the owner obtains all of the following:

a. An importation permit from the board.

b. A North Dakota nontraditional livestock license from the board which is valid for the species to be imported or possessed. The license fee is five dollars for each game bird species and ten dollars for all other species. The maximum annual fee for a person holding more than one bird species license is twenty-five dollars. The maximum annual fee for a person holding more than one nonbird species license is seventy-five dollars.

c. Genetic testing for purity is required for all elk or elk hybrids prior to entry into zone 1 or 2, as those zones are described in subdivision c of subsection 7. Only genetically pure elk will be allowed in zone 1 or 2.

d. An animal may not be imported, without approval from the board, if the animal originated in a herd that has been quarantined for a reportable disease.

e. An examination by an accredited veterinarian accompanied by an approved certificate of veterinary inspection. Minimum specific disease test results and health statements that must be included on a certificate of veterinary inspection include:

(1) Animals in the shipment must be tested for any diseases prescribed by the board.

(a) Tuberculosis.

[1] Cervidae - all animals in the shipment must be tested negative within thirty to ninety days and the entire herd of origin within twelve months using the single strength cervical test, or if originating from an accredited free herd, only the animals in the shipment must be tested, or follow uniform method and rules and guidelines for the control of tuberculosis in cervidae as published by USDA/APHIS.

[2] Other species - use recognized approved testing protocol.

(b) Brucellosis.

[1] Cervidae - all animals in the shipment must be tested negative by two official brucellosis tests within thirty days, one of which must be the complement fixation test or follow uniform method and rules in control of brucellosis in cervidae as published by USDA/APHIS.

[2] Other species - use recognized industry testing protocol.

(c) Pseudorabies. Serologic testing methodology must be conducted in accordance with board pseudorabies standards within thirty days prior to entry for the following category, except for suckling piglets accompanying a negative sow:

Suidae: Wild suidae (See also subdivisions c and d of subsection 3.)

(d) Equine infectious anemia. Serologic testing must be conducted in accordance with state equine infectious anemia protocol within twelve months prior to entry for the following category of equidae, except suckling foals accompanying a negative dam:

Equidae: All wild equidae

(e) Rabies. Any native mammal of the order carnivora that has been taken from the wild may not enter the state if a diagnosis of rabies has been made in the past twelve months in the same species in the state of origin.

(f) Johne's disease. The following statement signed by an accredited veterinarian in the state or province of origin: "To the best of my knowledge, animals listed herein are not infected with paratuberculosis (Johne's disease) and have not been exposed to animals infected with paratuberculosis. To the best of my knowledge, the premises of origin have not been the site of a significant disease outbreak in the previous twenty-four months that was not contained and extirpated using recommended disease control".

(g) Diseases of birds.



[1] Pullorum and fowl typhoid.

[a] Captive wild birds as defined in this paragraph, unless going directly to slaughter, must originate from a producer who is participating in the pullorum-fowl typhoid control phase of the national poultry improvement plan (NPIP) plan or the birds must be tested serologically negative for pullorum and fowl typhoid within the past thirty days. In the case of eggs and hatchling birds, the breeder flock must be a national poultry improvement plan participant or must have been tested negative in the past thirty days. Serum testing or national poultry improvement plan active status are required for birds of the order galliformes including prairie chicken (*tympanuchus cupido*), quail, pheasants (*phasianus colchicus*), chukar (*alectoris chukar*), gray (Hungarian) partridge (*perdix perdix*), and wild turkey (*meleagris gallopavo*).

[b] In lieu of pullorum and fowl typhoid testing of other birds, the following statement can be placed on the health certificate: "To my knowledge, birds listed herein are not infected with pullorum or fowl typhoid and have not been exposed to birds infected with pullorum or fowl typhoid during the past twelve months". This statement shall be signed by the owner or the owner's representative.

[2] Avian tuberculosis (*mycobacterium avium*). The certificate of veterinary inspection must read: "To my knowledge, birds listed herein are not infected with avian tuberculosis and have not been exposed to birds infected with avian tuberculosis during the last twelve months". This requirement applies to all birds, including ratites.

[3] Duck plague (duck virus enteritis, D.V.E.) and avian cholera. The statement, "To my knowledge, birds listed herein are not infected with duck plague or avian cholera and have not been exposed to birds known to be infected with duck plague or avian cholera within the past one hundred eighty days", must be written on the health certificate of all anseriformes entering the state. The statement shall be signed by the owner or the owner's representative. This statement applies to waterfowl (anseriformes).

[4] Exotic Newcastle disease (viscerotropic, velogenic viruses) psittacosis.

[a] The statement, "To my knowledge, birds listed herein are not infected with exotic Newcastle disease or psittacosis and have not been exposed to birds known to be infected with exotic Newcastle disease or psittacosis within the past thirty days", must be written on the health certificate of all psittacine birds entering the state. The statement shall be signed by the owner or the owner's representative. This statement applies to all psittacine birds.

[b] While in transit or while being offered for sale by a person holding a nontraditional livestock license and nontraditional livestock auction license, the following birds which have been associated with introductions of exotic Newcastle disease should be identified with a numbered leg band or other approved method of identification: yellow naped Amazon parrot (*Amazona ochrocephala auropalliata*), Mexican double yellow head parrot (*Amazona ochrocephala oratrix*), Mexican red head parrot (*Amazona*

viridigenalis), spectacled Amazon parrot (*Amazona albifrons*), yellow cheeked Amazon parrot (*Amazona autumnalis*), green conure (*Aratinga holochlora*, *A. strenua*, *A. leucophthalmus*), military machaw (*Ara militaris*), lilac crowned Amazon parrot, (*Amazona finschi*).

[5] Mycoplasmosis. All wild turkeys of the species *meleagris gallopavo*, unless going directly to slaughter, must originate from a producer who is participating in the mycoplasmosis control phase of the national poultry improvement plan or the birds must have been tested serologically negative for *Mycoplasma gallisepticum* and *M. synoviae* within the past thirty days. In the case of eggs and hatchling birds, the breeder flock must be a national poultry improvement plan participant or must have been tested negative in the past thirty days.

f. Additional disease testing may be required from the board prior to importation or sale if there is reason to believe other diseases, parasites, or other health risks are present.

2. It is a violation of this rule to release or abandon any nontraditional livestock without prior written authorization from the board. Game bird releases must be stipulated in the license application.

3. The board finds that the following species, hybrids, or viable gametes (ova or semen) are detrimental to existing animals and their habitat through parasites, disease, habitat degradation, or competition. Possession of the following species, hybrids, or viable gametes is restricted to a special license (applies to category 5).

a. In the family bovidae, subfamily caprinae: chamois (*Rupicapra*), tahr (*Hemitragus*), goats, ibexes (*Capra*), except domestic goat (*Capra hircus*), barbary sheep or aoudad (*Ammotragus*), mouflon species (*Ovis musimon*), subfamily hippotraginae: oryx and gemsbok (*Oryx*), addax (*Addax*), subfamily redinae: reed bucks (*Redunca*), subfamily alcelaphinae: wildebeests (*Connochaetes*), hartebeests (*Alcelaphus*), sassabees, blesbok, bontebok, topi (*Damaliscus*), subfamily water buffalo (*Bubalus*).

b. In the family cervidae, all of the following species and hybrids: moose (*Alces alces*), axis deer (*Axis axis*), rusa deer (*Cervus timorensis*), sambar deer (*Cervus unicolor*), sika deer (*Cervus nippon*), roe deer (*Capreolus capreolus* and *Capreolus pygargus*), red deer (*Cervus elaphus*).

c. All wild species of the family suidae (Russian boar, European boar) and hybrids.

d. In the family tayassuidae: the collared peccary or javelina (*Tayassu tajacu*) and hybrids.

4. A special license application will be reviewed by the nontraditional livestock advisory council. The advisory council shall recommend action to be taken by the board.

5. These special license species may not be released, imported, transported, sold, bartered, or traded within the state except as authorized. The special license animals may

be transported out of the state in compliance with the nontraditional livestock rules of the receiving state and federal laws.

6. Persons with proof of possession prior to the effective date of these rules may possess special license species.

7. The following nontraditional livestock are "restricted species", on the basis of specific animal health risks that they pose to wildlife and domestic livestock: white-tailed deer (*Odocoileus virginianus*) and reindeer (caribou) (*Rangifer sp.*), red deer and red deer hybrid.

a. Importation of white-tailed deer into North Dakota is allowed only for nontraditional livestock farms having a valid license. The only white-tailed deer that may be permitted entry or transported west of the one hundredth meridian are those originating from states west of the one hundredth meridian where meningeal worm has not been reported. This also applies to intrastate movement.

b. Importation of reindeer (*Rangifer sp.*) into North Dakota is prohibited except under the following conditions:

(1) All animals in shipment must be tested negative to four brucellosis serological tests.

(2) All animals in the shipment must originate in a herd located south of the border of Canada and the United States which is certified brucellosis (*B. suis* and *B. abortus*) and tuberculosis free as determined by whole herd testing.

(3) Animals must have never been exposed to tuberculosis positive animals.

c. The importation or intrastate movement of red deer and red deer and elk hybrids requires a special license. A license will not be issued for premises in zone 1 or 2. Zone 1 is that area bordered by a line that begins at the junction of the Montana border and Missouri River, runs east along the Missouri River to highway 49, south to highway 21, west to highway 22, to the Slope-Bowman County line, and west to Montana. Zone 2 is that area bordered by a line that begins at the Minnesota state line on highway 2, runs west to Towner and north along the Souris River to the Canadian border.

8. Reclassification of any species listed as restricted is contingent upon compelling scientific information indicating that risks posed by these species to native wildlife populations and domestic livestock can be eliminated or managed effectively through application of new diagnostic or management technologies.

9. Any diseased, prohibited, or restricted animal determined by the board to pose a significant threat to the state's wildlife resources, domestic animals, or human health must be held in quarantine at the owner's expense until disposition is determined. Possession or transfer of such animals is prohibited if contrary to the determination of the board.

## Ohio

### • OHIO ADMIN. CODE §901: 1-17-12 - Nondomestic animals

(A) No nondomestic animal shall be imported into the state of Ohio unless:

(1) It is in full compliance with all other state and federal agencies [sic] rules and regulations; and

(2) It is free of evidence of any contagious or infectious diseases or parasites harmful to humans or animals.

(B) Nondomestic animals may be legally imported into the state under all of the following conditions:

(1) Animals are accompanied by an entry permit and certificate of veterinary inspection, and

(2) Test-negative animals that have been exposed to test-positive animals through transportation or husbandry practices will be allowed entry into Ohio only by permission of chief, division of animal industry and with a consignee letter of consent.

(3) Animals are accompanied by documentation to prove they had been legal residents in the state or country of origin (i.e., license numbers of appropriate state and federal permits or tenure status on certificate of veterinary inspection).

(C) Qualifications, specific tests, or statements required for mammals prior to entry into the state:

(1) Brucellosis

Animals may move on a brucellosis free herd status that is acceptable to the chief of the division of animal industry or on negative test results from an approved state/federal brucellosis laboratory conducted within thirty days prior to entry. This requirement includes but is not limited to the following categories of animals over six months of age:

Cervidae: Elk, caribou, moose, deer (including but not limited to fallow, roe, axis, sika, red, and white tail)

Bovidae: Antelope, wild cattle, buffalo, wild goats

Suidae: Wild swine including peccaries

(2) Tuberculosis (mycobacterium bovis)

Animals may move on a tuberculosis free herd status that is acceptable to the chief of the division of animal industry or have a negative test which was conducted within sixty days of entry or in accordance with the stipulation on the permit. Eligible species would include but not be limited to the following categories of animals over six months of age:

Buffalo

Elk (*cervus canadensis*)

Caribou (*rangifer spp.*)

Wild cattle

Deer (including but not limited to fallow, roe, axis, sika red, and white tail)

(3) Pseudorabies

Official pseudorabies serologic tests must be negative within thirty days prior to entry. Breeding animals must be held in isolation and post entry tested twenty-one to forty-five days after the import date. This requirement includes but is not limited to the following categories of animals except for suckling piglets accompanying a negative sow:

Suidae: Wild swine

Tayassuidae: Peccarie

(4) Equine infectious anemia

Equidae, except suckling foals accompanied by a negative dam, must be negative to an official equine infectious anemia serological test conducted in a laboratory approved by United States Department of Agriculture - animal plant health inspection service within twelve months prior to entry. This requirement includes but is not limited to the following categories of wild equidae, except suckling foals accompanying a negative dam:

Equidae: All wild horses, wild donkeys, and zebra

(D) Qualifications, specific tests, or statements required for birds prior to entry into Ohio:

(1) Pullorum and fowl typhoid

(a) Commercial gamebirds, including, but not limited to bobwhite, quail, coturnix quail, pure or hybrid ring-neck pheasant, chukar, hungarian partridge, wild turkey, ratites, and their eggs, unless going directly to slaughter or a ratite feedlot for slaughter, must originate from a producer who is participating in the pullorum-fowl typhoid control phase of the national poultry improvement plan or the birds must test serologically negative for

pullorum and fowl typhoid within the past thirty days. Aforementioned birds (excluding turkeys) imported for a sale, swap, or show may be tested as negative upon arrival. Negative serologic tests for pullorum and fowl typhoid are required within thirty days from the entire breeder flock who imports eggs and hatching birds and is not a participant in the national poultry improvement plan.

(b) In lieu of pullorum and fowl typhoid testing for doves, pigeons, and certain other birds, the following statement can be placed on the health certificate: "To my knowledge, birds listed herein are not infected with pullorum or fowl typhoid and have not been exposed to birds infected with pullorum or fowl typhoid during the past twelve months." This statement should be signed by the owner or the owner's representative.

## (2) Mycoplasmosis

Wild turkeys of the species *melagris gallopavo* and their eggs, unless going directly to slaughter, must originate from a producer who is participating in the mycoplasmosis control phase of the national poultry improvement plan or the birds must have tested serologically negative for *mycoplasma gallisepticum*, *mycoplasma meleagridis*, and *m. Synoviae* within the past thirty days. In the case of eggs, the breeder flock must be a national poultry improvement plan participant or must have tested negative, in the past thirty days.

## (3) Newcastle disease

The statement "to my knowledge, birds listed herein are not infected with Newcastle disease or chlamydia and have not been exposed to birds known to be infected with newcastle disease within the past thirty days," shall be written on the health certificate of all psittacine birds entering the state and be signed by the owner or the owner's representative.

## **Oklahoma**

• OKLA. STAT. Tit. 29, §4-107 - Commercial wildlife breeder's license.

A. Except as otherwise provided for in this title, no person may breed, possess or raise native wildlife, except fish, amphibians, aquatic reptiles, aquatic invertebrates or exotic livestock, for commercial purposes without having first procured a license for such from the Director.

B. No person licensed under this section may sell cats specified in subsection D of this section or bears to any person who does not possess a commercial wildlife breeder's license or noncommercial wildlife breeder's license.

C. Such license may be issued to any person whom the Director believes to be acting in good faith, and whom he believes does not intend to use such license for the purpose of

violating any of the laws of the State of Oklahoma, and who proves that the brood stock he uses will be obtained in a lawful manner.

D. Without exception, any person shall be licensed under this section who keeps or maintains on premises any bear or cat that will grow to reach the weight of fifty (50) pounds or more and shall at all times keep such wildlife confined, controlled and restrained in such manner so the life, limb or property of any person lawfully entering such premises shall not be endangered.

E. The fees for a license under this section, and all renewals of such license, shall be Forty-eight Dollars (\$48.00).

F. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than One Hundred Dollars (\$100.00); and, if applicable, shall have his wildlife license revoked. No such person whose license has been revoked shall be eligible to obtain a new license until after the date on which the revoked license would have expired.

## **Oregon**

- OR. REV. STAT. §609.305 - Definitions for ORS 609.305 to 609.335.

As used in ORS 609.305, 609.309, 609.319 to 609.335 and 609.992, "exotic animal" means:

- (1) Any lion, tiger, leopard, cheetah, ocelot or any other cat not indigenous to Oregon, except the species *Felis catus* (domestic cat);
- (2) Any monkey, ape, gorilla or other nonhuman primate;
- (3) Any wolf or any canine not indigenous to Oregon, except the species *Canis familiaris* (domestic dog); and
- (4) Any bear, except the black bear (*Ursus americanus*).

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- OR. REV. STAT. §609.319 - Permit required to keep exotic animal.

No person may keep an exotic animal in this state unless, before acquiring the animal, the person possesses, or has applied for and not been refused or have had revoked or suspended, a valid State Department of Agriculture permit for such animal issued pursuant to ORS 609.335. No person may keep an exotic animal in this state for more than 30 days after the expiration, revocation or suspension of such a permit.

## **Pennsylvania**

### • 34 PA. CONS. STAT. ANN. §2961 - Definitions

The following words and phrases when used in this subchapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Educational purposes." Displays by or for public or private schools, sportsmen's organizations, youth organizations, civic associations, conservation camps and school or any other organization deemed appropriate by the commission.

"Exotic wildlife." The phrase includes, but is not limited to, all bears, coyotes, lions, tigers, leopards, jaguars, cheetahs, cougars, wolves and any crossbreed of these animals which have similar characteristics in appearance or features. The definition is applicable whether or not the birds or animals were bred or reared in captivity or imported from another state or nation.

"Exotic wildlife dealer." Any person who imports into this Commonwealth, possesses, buys, sells, locates or finds for a fee, barter, donates, gives away or otherwise disposes of more than one bird or one animal classified as exotic wildlife by this subchapter.

"Menagerie." Any place where one or more wild birds or wild animals, or one or more birds or animals which have similar characteristics and appearance to birds or animals wild by nature, are kept in captivity for the evident purpose of exhibition with or without charge.

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### • 34 PA. CONS. STAT. ANN. §2963 - Exotic wildlife possession permits

(a) Authorization. - The commission may issue permits to persons to possess exotic wildlife which shall authorize the holder to purchase, receive or possess exotic wildlife from any lawful source from within or without this Commonwealth.

(b) Shelter, care and protection. - No permit provided for in this section shall be granted until the commission is satisfied that the provisions for housing and caring for such exotic wildlife and for protecting the public are proper and adequate and in accordance with the standards established by the commission.

(c) Unlawful acts. - It is unlawful for any person to:

(1) Possess, purchase or receive exotic wildlife, without first securing a permit to possess exotic wildlife issued under this section or regulations pertaining to this section.

(2) Release exotic wildlife into the wild.



- (3) Fail to exercise due care in safeguarding the public from attack by exotic wildlife.
- (4) Recklessly engage in conduct which places or may place another person in danger of attack by exotic wildlife.

(d) Penalty. -

- (1) A violation of this section relating to permits is a summary offense of the third degree.
- (2) Any other violation of this section is a summary offense of the fifth degree.
- (3) Each day of violation shall constitute a separate offense, but under no circumstances shall the accumulated penalty for purposes of a field receipt exceed \$300. There shall be no limit on any accumulated penalty a court may assess.

(e) Discretion of director. - In addition to the penalties provided, the director may, for any violation of this section, revoke or suspend any permit and order the disposal of any exotic wildlife held.

**Rhode Island**

- R.I. GEN. LAWS §4-18-3 - Permit required to import wild animals.

No person shall import into, receive, or possess in this state without first obtaining a permit from the department, animals of the following orders, families, and genera: Primates, carnivores, amphibia, reptilia, canidae, and insecta. The director may by regulation designate additional orders, families, genera, or species requiring a permit to import, receive or possess; or the director may by regulation waive the permit requirement for specific species, orders, families and genera.

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**SECTION 1.00 ADMINISTRATIVE FINDINGS AND POLICY**

1.01 AUTHORITY - These rules and regulations are adopted pursuant to authority provided under Rhode Island General Laws ("R.I.G.L.") 42-35, 42-17 and 4-18-9 for the purpose of safeguarding the protection of persons in the State of Rhode Island from disease hazards and physical harm associated with imported wild animals. Issues not addressed in these rules and regulations or for which a party seeks clarity are to be

construed in light of Chapter 4-18. These rules and regulations shall become effective twenty (20) days after filing.

1.02 ADMINISTRATIVE FINDINGS - Certain wild animals pose a substantial threat to the safety of the people of Rhode Island. This threat includes both actual physical harm resulting from natural predatory, defensive, or feeding behaviors, as well as disease transmission to human, domestic livestock, and indigenous wildlife populations of Rhode Island. Many wild animals require highly specialized nutritional, environmental, and veterinary care. It is therefore necessary to ensure that only disease-free, wild animals are imported into and possessed within Rhode Island, by those persons who can demonstrate they have adequate knowledge of species specific animal health and husbandry.

1.03 PURPOSE - The purpose of these rules and regulations is to:

- (a) Permit importation and possession within Rhode Island of those wild animals which are free of diseases which pose a threat to humans, livestock and native wildlife.
- (b) Allow importation/possession by only those persons who can demonstrate they have both adequate facilities, and adequate knowledge of animal health and husbandry to ensure both public safety as well as the health and well being of the imported/possessed wild animal.
- (c) Ensure endangered and threatened species are not imported/possessed in Rhode Island without a permit.

## SECTION 2.00 DEFINITIONS

Wherever used in these rules and regulations the following terms shall be construed as follows:

"Domestic Animals" shall mean animals, which through extremely long association with humans, have been bred to a degree which has resulted in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes them unique and distinguishable from wild individuals of their species.

Such animals may include but are not limited to:

- Domestic dog (*Canis familiaris*) excluding hybrids with wild canids
- Domestic cat (*Felis catus*) excluding hybrids with wild felines
- Domestic horse (*Eguus caballus*) including hybrids with *Eguus asinus*
- Domestic ass, burro, and donkey (*Eguus asinus*)
- Domestic cattle (*Bos taurus* and *Bos indicus*)
- Domestic sheep (*Ovis aries*)
- Domestic goat (*Capra hircus*)
- Domestic swine (*Sus scrofa domestica*)
- Llama (*Lama alama*)

Alpaca (*Lama pacos*)  
Camels (*Camelus bactrianus* and *Camelus dromedarius*)  
Domesticated races of European rabbit (*Oryctolagus cuniculus*)  
Domesticated races of chickens (*Gallus gallus*)  
Domesticated races of ducks and geese (*Anatidae*) morphologically distinguishable from wild birds  
Domesticated races of guinea fowl (*Numida meleagris*)  
Domesticated races of peafowl (*Pavo cristatus*)

"Endangered Species" those species of animals designated as threatened or endangered according to the U.S. Fish and Wildlife Service and published in the Federal Register.

"Department" shall mean the Department of Environmental Management.

"Director" shall mean the Director of the Rhode Island Department of Environmental Management, or his/her duly authorized agent or agents.

"Enclosure" shall mean any structure used to immediately restrict an animal or animals to a limited amount of space, such as a room, pen, run, cage or compartment.

"Native Wildlife" shall mean animals occurring naturally, either presently or historically, within the boundaries of the State of Rhode Island.

"Person" shall mean any person, firm, association, organization, partnership, business trust, corporation or company including but not limited to educational and research institutions, zoological gardens, schools, colleges, universities, pet stores, animal care facilities, and laboratories who import, hold, sell, purchase or possess any wild animal in accordance with sections 4-18-1 and 4-18-2 of the General Laws of Rhode Island.

"Quarantine" shall refer to the types of quarantine as defined by the American Public Health Association, namely: (1) complete quarantine; (2) modified quarantine; (3) personal surveillance; and (4) segregation.

"Veterinarian" shall mean an individual currently licensed to practice veterinary medicine in the state of Rhode Island.

"Wild Animals" shall mean vertebrate animals and insecta other than those defined as domestic animals or native wildlife.

## SECTION 3.00 REQUIREMENTS FOR IMPORTATION OR POSSESSION OF WILD ANIMALS

3.01 A PERMIT to import into, receive or possess in this state animals listed in section 8.00 herein, shall be restricted to United States Department of Agriculture (USDA) and American Association of Zoological Parks and Aquariums (AAZPA) approved, zoos and research institutes or other USDA approved facilities as well as exhibitors and private

persons seeking to import or possess a wild animal pursuant to the provisions of section 4-18-3 of the General Laws of Rhode Island, 1956, as amended, and the rules and regulations herein. Obtaining such permit does not preclude conformance with such other Federal, State or local requirements for licensure certification or permit which may be required.

3.02 No other person shall be allowed to import into, receive or possess any animals listed in section 8.00 herein, other than United States Department of Agriculture (USDA) approved and American Association of Zoological Parks and Aquariums (AAZPA) approved zoos and research institutes, or as well as exhibitors and private persons seeking to import or possess a wild animal.

3.03 The Director in his/her discretion may issue a permit to import, receive or possess wild animals in accordance with section 3.01 to section 8.00 herein. The application shall include but not be limited to the following. For each species requested:

(a) The number, sex, age, true scientific name and exact identification of the individual animals.

(b) The carrier and probable point of first arrival as well as the location where each animal will be kept in Rhode Island.

(c) The purpose for which they are to be imported/possessed.

(d) The full name and complete address of the consignee.

(e) The full name and complete address of the consignor.

(f) The location where the animal(s) shall be held in quarantine pending the completion of such tests, veterinary examinations, and observation period as may be specified by the department in issuance of the import permit, as well as the location where the animal(s) shall be permanently held. Adequate quarantine and/or permanent enclosure facilities must be available for inspection and approved by the Department prior to issuance of the import permit.

(g) The name and address of the veterinarian currently licensed in Rhode Island who shall conduct the tests and examinations specified by the Department.

(h) A letter from a veterinarian currently licensed to practice within the state of Rhode Island stating that (s)he shall conduct the tests and periodic medical examinations specified by the department.

(i) Except for AAZPA certified facilities, a person desiring to import or possess a wild animal shall also provide a detailed written description to the Department of the manner in which the animal's nutritional, housing, and exercise needs will be met, as well as any needs specific to the particular species subject to the Department's approval.

(j) Permit fee as specified by Rhode Island General Laws Section 4-18-8.

#### SECTION 4.00 ISSUANCE OF IMPORT/POSSESSION PERMITS

4.01 Issuance of import/possession permits may be made by the Department upon:

(a) Receipt of written application providing the information enumerated under Section 3.03 not less than seven (7) days preceding the probable date of shipment.

(b) Completion of an inspection by the department to ensure the quarantine and/or final enclosure facility designated in the application is adequate.

(c) Payment of the necessary permit fees as required under 4-18-8.

(d) Determination by the Department that human as well as native wildlife and domestic animal health and safety are not endangered.

(e) Approval of the probable point of first arrival into this state.

(f) Receipt by the State Veterinarian of a Certificate of Veterinary Inspection signed and issued within 30 days of anticipated importation by a veterinarian licensed in the State of Origin and countersigned by the official in the State of Origin responsible for the control of animal disease, specifically identifying the individual animals imported. The certificate shall state that such animals are free from signs of infectious, contagious and communicable disease, and certify such animals are free of specific diseases enumerated by the Department and available upon request.

4.02 The Permit shall indicate the conditions under which the animal(s) are to be maintained, such conditions are to be determined by current prevailing (AAZPA) standards and in accordance with Section 3.03 (a-j) of these regulations.

#### SECTION 5.00 CONDITIONS OF IMPORTATION/POSSESSION PERMIT

5.01 Should the ownership, location, enclosure or purpose of importation/possession change, new application for a permit shall be made in pursuant to Section 3.03 of these regulations.

5.02 Animals imported/possessed under permit shall not be used for breeding purposes without prior notification of and approval by [as per Section 3.03 (c)] the Department. Such approval shall be indicated on the permit issued.

(a) The owner of the offspring of any permitted animals shall apply for a permit for such offspring within two (2) weeks of their birth.

5.03 The possessor of any import/possession permit shall notify the Department within twenty four (24) hours of the death and immediately upon escape of any permitted animal.

5.04 The Department reserves the right to immediate examination and testing of imported/possessed wild animals when there is probable cause as determined by the Department to suspect that the animals are harboring diseases or parasites suspected of endangering public health or the health of domestic animals or that of native wild animals. Measures deemed necessary to protect domestic animals, public health and native wild animals, may include, but are not limited to: quarantine, seizure, destruction, and postmortem examination.

#### SECTION 6.00 QUARANTINE

6.01 All imported animals requiring a permit must be maintained under quarantine in accordance with the provisions of Section 4-18-11 of the General Laws of Rhode Island.

6.02 The conditions of quarantine to be imposed shall be determined by the Director or his/her duly authorized representative on the basis of the conditions and circumstances of each individual case.

#### SECTION 7.00 VIOLATIONS

Any violation pursuant to the provisions of Chapter 4-18 of the General Laws of Rhode Island and the rules and regulations herein may be cause for imposing penalties in accordance with the provisions of the above mentioned statute, as well as revocation of existing import/possession permit(s).

7.01 Any wild animal imported/possessed into or within the State of Rhode Island violating the provisions of Chapter 4-18 or regulations promulgated thereunder shall be considered contraband. Any such animal which poses a threat to public safety may be confiscated by DEM or any other law enforcement agency. If any animal that is confiscated cannot be safely confined, or if said animal is severely ill, debilitated, or injured, the animal may be euthanized, and its carcass held as evidence. DEM shall hold such animal or carcass thereof until criminal or administrative proceedings have been completed. The person importing/possessing any such confiscated animal shall pay the costs of board, feed, veterinary care, and transport for any such confiscated animal until such time as the criminal or administrative proceedings have been completed.

7.02 If said animal is adjudged to be possessed/imported in violation of any provisions of Chapter 4-18, the Department shall make reasonable attempt to find suitable placement of such animal which meets requirements of Chapter 4-18 and any regulation adopted thereunder. If suitable placement is not found, the animal may then be euthanized.

7.03 Persons in Rhode Island possessing any animal listed in Section 8.0 at the date of filing of these regulations with the Secretary of State shall have six (6) months to obtain

an Importation/Possession Permit, after which time said person shall be in violation of these regulations.

## SECTION 8.00 ANIMALS REQUIRING IMPORTATION/POSSESSION PERMIT

8.01 All species listed as threatened or endangered by the United States Department of the Interior.

### 8.02 Class Mammalia (Mammals)

Order Chiroptera: bats - All non native species

Order Primates: All primates

Order Rodentia

Family Capromyidae: nutrias

Order Carnivora:

Family Canidae (including non-domestic hybrids thereof)

Family Ursidae

Family Viverridae - civets, mongooses

Family Hyaenidae - aardwolf, hyenas

Family Felidae - cats (including non-domestic Hybrids thereof)

Order Proboscidea - elephants

Order Perissodactyla - odd toed ungulates

Family Equidae - wild horses, zebra, asses

Family Tapiridae - tapirs

Family Rhinocerotidae - rhinos

Order Artiodactyla - even toed ungulates

Family Suidae

Family Tayassuidae - peccaries

Family Hippopotamidae - hippos

Family Tagulidae - chevrotains (mouse deer)

Family Cervidae - deer, elk

Family Giraffidae - okapi, giraffe

Family Antilocapridae - pronghorn

Family Bovidae

Subfamily bovinæ

Genus Tragelaphus (bongo, sitatunga, kudu, bushbuck, nyala)

Genus Taurotragus (eland)

Genus Boselaphus (nilgai, bluebuck)

Genus Tetracerus (4 horned antelope, chousingha)

Genus Bubalus (asian water buffalo, anoa)

Genus Syncerus (african buffalo)

Genus Bos (banteng, gaur, seladang, kouprey, yak)

Genus Bison (American & European)

Subfamily Cephalophinae - duikers

Genus Cephalophus (duikers)

Genus Syeicapra (gray or common duikers)

Subfamily Hippotraginae

Genus Kobus (waterbuck, lechwes, kob & onotragus, adenota, puku)

Genus Redunda (reedbuck)

Genus Pelea (phebok)

Genus Hippotragus (roan & sable antelopes)

Genus Oryx (oryx, gemsbok)

Genus Addaxes

Genus Damaliscus (sassabies)

Genus Alcelaphus (hartebeasts)

Genus Gorgon Connochaetes (wildebeasts, gnus)

Order Artiodactyla

Family Bovidae

Subfamily Antilopinae

Genus Oreotragus (klipspringer)

Genus Ourebia (oribi)

Genus Raphicerus (steenbok, grysbok)

Genus Neotragus (dwarf antelopes)

Genus Madoqua (dikdiks)

Genus Dorcatragus (beira)

Genus Antilope (black buck)

Genus Aepyceros (impala)

Genus Ammodorcas (dibatang)

Genus Litocranius (gerenuk)

Genus Gazella (gazelles)

Genus Antidorcas (springbuck)

Genus Procapha (central asian gazelles)

Subfamily Caprinae

Genus Panthalops (chiru, tibetan antelope)

Genus Saiga

Genus Namorhedus (gorak)

Genus Capricornis (serows)

Genus Oreomys (mountain goat)

Genus Rupicapra (chamois)

Genus Budorcas (takin)

Genus Ovibos (musk ox)

Genus Hemitragus (tahrs)

Genus Capra (goats - 8 species)

Genus Pseudois (bharals, blue sheep)

Genus Ammotragus (aoudad, barbary sheep)

Genus Ovis 2 subgenera, 8 species Trichosurus Vilpecula (brush tailed possum)

8.03 Class Aves (Birds)

Java Sparrow - (padda oryzivora)

Sturhidae - Pink or Rose colored Starling (sturnus roseus)

Order Sphenisciformes - penguins

Order Casuariiformes



Family Casuaridae - cassowaries  
Order Podicipitiformes - grebes - non native species  
Order Procellariiformes  
Family Procellariidae  
Family Hydrobatidae - storm petrels  
Order Pelecaniformes  
Family Fregatidae - frigatebirds  
Order Ciconiiformes  
Family Balaenicipitidae - shoebill  
Order Falconiformes - All non native members of the following families:  
Family Cathartidae - New World Vultures  
Family Accipitridae - hawks, eagles & old world vultures  
Family Falconidae - falcons  
Family Pandionidae - osprey  
Family Sagittariidae - secretary birds  
Order Galliformes - All members of:  
Family Megapodiidae except brush turkey  
Family Opisthocomidae - hoatzin  
Order Apodiformes  
Family Trochilidae - hummingbirds  
Order Trogoniformes - trogons  
Order Psittaciformes - Quaker Parakeet - (*Myiopsitta monachus*)  
8.04 CLASS REPTILIA (REPTILES)

Order Squamata  
Family Helodermatidae - beaded lizards, gila monsters  
Family Chamaeleontidae - old world chamaeleontidae  
Family Leptotyphlopidae  
Family Boidae  
Subfamily Pythoninae  
Python reticulatus - reticulated python  
Family Colubridae  
Subfamily Colubrinae - *Thelotornis kirtlandi* - african twig snake  
*Dispholidus typus* - boomslang  
Subfamily Boiginae - boigine vipers  
Subfamily Lycodontinae - mole vipers  
Family Elapidae - cobras, coral snakes, mambas etc.  
Family Hydrophiidae - sea snakes  
Family Viperidae - vipers  
Family Crotalidae - pit vipers  
8.05 CLASS OSTEICHTHYES (FISHES)

*Gambusia affinis* (Mosquito Fish)  
*Etenopharyngodon tista* (Grass Carp)  
*Umbra pinnata* (Eastern Mudminnow)  
Order Cypriniformes

Family Electrophoridae - electric eels  
SECTION 9.00 APPLICABILITY

These Regulations shall apply to any person wishing to import or possess a wild animal into or within the State of Rhode Island.

SECTION 10.00 SEVERABILITY

If any section or provision of these regulations is held invalid by a court of competent jurisdiction, the remaining sections or provisions of the regulations shall not be affected thereby. These regulations supercede any prior regulations.

SECTION 11.00 CONSISTENCY

No provision of these regulations shall be construed to prevent enforcement of any other state, federal, or local laws and regulations duly adopted for the purpose of protecting the public health and welfare.

SECTION 12.00 APPEAL AND HEARING PROCEDURE

12.01 Opportunity for Hearing

(a) Denials: Any person whose application for a permit, permit renewal, other approval, or a variance has been denied by the permitting agency, acting through the Division may appeal to the Administrative Adjudication Division for review of the decision on which the denial is based.

(b) Violations: Any person who has been issued a notice of violation of any of the provisions of these rules, may request a hearing from the Administrative Adjudication Division, subject to the provisions of R.I.G.L. 42-17.1-2(u).

(c) Time of Filing: All requests for a hearing shall be made in writing within ten (10) days of receipt of the notice of denial or violation or other action and shall be addressed to the Administrative Adjudication Division.

(d) Hearings and Administrative Procedure: Pursuant to the authority granted to the Department in Chapter 42-17.1 (1977 Reenactment) and Chapter 42-35 (1977 Reenactment), the hearings and administrative procedures shall conform to the "Administrative Rules of Practice and Procedure for the Department of Environmental Management, Administrative Adjudication Division for Environmental Matters."

SECTION 13.00 EFFECTIVE DATES

These rules shall take effect on the date specified in the attached certification of promulgation by the Director of Environmental Management and the Environmental Standards Board.

## SUPERCEDED RULES

### Rules and Regulations Pertaining to Importation of Wild Animals (RY-18-1WA)

#### **South Carolina**

- S.C. CODE REGS. §50-11-1765 - Possession, sale, or importation of live wolves or coyotes unlawful; exceptions.

It is unlawful to sell live wolves or coyotes within the State or to ship or import live wolves or coyotes into this State, except for exhibition or scientific purposes upon the approval of the department as provided by regulations promulgated by the department. A person may not have a live wolf or coyote in his possession without a permit issued by the department.

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- S.C. CODE REGS. §50-16-20 - Importation of wildlife for certain purposes prohibited; investigation; permit.

(A) It is unlawful for a person to import, possess, or transport for the purpose of release or to introduce or bring into this State any live wildlife of the following types without a permit from the department:

(1) a furbearer, a member of the family Cervidae, a nondomestic member of the families Suidae (pigs), Tayassuidae (peccaries), Bovidae (bison, mountain goat, mountain sheep), coyote, bear, or turkey (genus Meleagris). Furbearer includes, but is not limited to, red and gray fox, raccoon, opossum, muskrat, mink, skunk, otter, bobcat, weasel, and beaver;

(2) a species of marine or estuarine fish, crustacean, mollusk, or other marine invertebrate not already found in the wild, or not native to this State.

(3) a species of freshwater fish, crustacean, mollusk, or other freshwater invertebrate not already found in the wild or not native to this State.

(B) A permit may be granted only after the investigations and inspections of the wildlife have been made as the department considers necessary and the department approves the possession, transportation, or importation into the State. The department may not issue a permit unless it finds:

(1) the wildlife was taken lawfully in the jurisdiction in which it originated;

(2) the importation, release, or possession of the wildlife is not reasonably expected to adversely impact the natural resources of the State or its wildlife populations.

### **South Dakota**

- S.D. ADMIN. R. 12:68:18:03 - Permit required.

A permit from the board is required to import nondomestic animals. In addition, a permit as described in § 12:68:18:03.03 is required to possess in South Dakota any nondomestic mammal, or any of its hybrids, listed in this section:

(1) Of the order Carnivora, all nondomestic members of the following families:

- (a) Felidae;
- (b) Canidae;
- (c) Ursidae;
- (d) Mustelidae; and
- (e) Hyaenidae;

(2) Of the order Artiodactyla, all nondomestic members; and

(3) Of the order Perissodactyla, all nondomestic members of the following families:

- (a) Tapiridae; and
- (b) Rhinocerotidae.

- 
- S.D. ADMIN. R. 12:68:18:03.01 - Specifically prohibited nondomestic mammals.

The board may issue only a temporary permit or a zoo permit for possession of the following nondomestic mammals or any of their hybrids. Possession of these mammals is otherwise specifically prohibited:

(1) Of the family Suidae, all nondomestic members; and

(2) Of the family Canidae, genus *Nyctereutes*, species *procyonoides* (raccoon dog). A person possessing before December 31, 1993, a nondomestic mammal listed in this section may not translocate, purchase additions, or market the mammal within South

Dakota. A person possessing such a mammal must quarantine the mammal and must obtain a grandfather permit until the mammal is disposed of.

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• S.D. CODIFIED LAWS ANN. 40-14-2

All animals brought into this state for any purpose except immediate slaughter shall be accompanied by a certificate of health, issued in duplicate by authority of the state or territory from which it originates, or by authority of the United States department of agriculture, setting forth that such animals are free from all contagious, infectious, epidemic or communicable disease, and from infestation of destructive parasites and does not originate from a district of quarantine, infestation or infection, and that it has been inspected within a period of not more than thirty days prior to the arrival of such stock. One of the duplicate certificates shall be mailed to the animal industry board at Pierre, in time for it to be received before the animal arrives at its destination, and the other shall be attached to the bill of lading when the animal is brought into the state. Any person who brings animals into the state in violation of this section is guilty of a Class 6 felony.

**Tennessee**

• TENN. CODE ANN §70-4-401 - Prohibited acts.

(a) It is unlawful for any person to possess, transport, import, export, buy, sell, barter, propagate or transfer any wildlife, whether indigenous to this state or not, except as provided by this part and rules and regulations promulgated by the Tennessee wildlife resources commission pursuant to this part.

(b) No person shall possess Class I or Class II wildlife without having documentary evidence showing the name and address of the supplier of such wildlife and date of acquisition.

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• TENN. CODE ANN §70-4-403 - Classifications of wildlife.

Live wildlife, kept and maintained for any purpose, shall be classified in the following five (5) classes:

(1) Class I - This class includes all species inherently dangerous to humans. These species may only be possessed by zoos, circuses and commercial propagators, except as otherwise provided in this part. The commission, in conjunction with the commissioner of agriculture, may add or delete species from the list of Class I wildlife by promulgating

rules and regulations. The following is a listing of animals considered inherently dangerous:

(A) Mammals:

(i) Primates - Gorillas, orangutans, chimpanzees, gibbons, siamangs, mandrills, drills, baboons, Gelada baboons;

(ii) Carnivores:

(a) Wolves - All species;

(b) Bears - All species; and

(c) Lions, tigers, leopards, jaguars, cheetahs, cougars - All species;

(iii) Order Proboscidea: Elephants - All species;

(iv) Order Perissodactyla: Rhinoceroses - All species; and

(v) Order Artiodactyla: Hippopotamus, African buffalo;

(B) Reptiles:

(i) Order Crocodylia: Crocodiles and alligators - All species; and

(ii) Order Serpentes: Snakes - All poisonous species; and

(C) Amphibians: All poisonous species;

(2) Class II - This class includes native species, except those listed in other classes;

(3) Class III - This class requires no permits except those required by the department of agriculture, and includes all species not listed in other classes and includes, but is not limited to, those listed in subdivisions (3)(A)-(Q). The commission, in conjunction with the commissioner of agriculture, may add or delete species from the list of Class III wildlife by promulgating rules and regulations:

(A) Nonpoisonous reptiles and amphibians except caimans and gavials;

(B) Rodents - Gerbils, hamsters, guinea pigs, rats, mice, squirrels and chipmunks;

(C) Rabbits, hares, moles and shrews;

(D) Ferrets and chinchillas;

- (E) Llamas, alpacas, guanacos, vicunas, camels, giraffes and bison;
  - (F) Avian species not otherwise listed, excluding North American game birds, ostriches and cassowary;
  - (G) Semi-domestic hogs, sheep and goats;
  - (H) All fish held in aquaria;
  - (I) Bovidae not otherwise listed;
  - (J) Marsupials;
  - (K) Common domestic farm animals;
  - (L) Equidae;
  - (M) Primates not otherwise listed;
  - (N) Bobcat/domestic cat hybrids;
  - (O) Hybrids resulting from a cross between a Class II species and a domestic animal or Class III species;
  - (P) Cervidae except white-tailed deer; and
  - (Q) Furbearing mammals, including those native to Tennessee, raised solely for the sale of fur;
- (4) Class IV - This class includes those native species that may be possessed only by zoos and temporary exhibitors; provided, that rehabilitation facilities may possess Class IV wildlife as provided by rules established by the commission if authorized by a letter from the director of the agency:
- (A) Black bear (*Ursus americanus*);
  - (B) White-tailed deer (*Odocoileus virginianus*);
  - (C) Wild turkey (*Meleagris gallapavo*) (including the eggs thereof);
  - (D) [Deleted by 1996 amendment.]
  - (E) Hybrids of a Class IV species other than bobcat shall be Class IV; and
  - (F) Animals that are morphologically indistinguishable from native Class IV wildlife shall be Class IV; and

(5) Class V - This class includes such species that the commission, in conjunction with the commissioner of agriculture, may designate by rules and regulations as injurious to the environment. Species so designated may only be held in zoos under such conditions as to prevent the release or escape of such wildlife into the environment.

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- TENN. CODE ANN §70-4-404 - Permits - Fees.

(a) The agency shall issue permits for possessing live wildlife as defined in this part.

(b)(1) The commission shall adopt reasonable rules for issuing permits to possess live wildlife and establishing the conditions thereof. The conditions shall be directed toward assuring the health, welfare, and safety of animals, the public and, where necessary, the security of facilities in which the animals are kept.

(2) The executive director of the agency may authorize by letter permission to possess any class of wildlife for approved research studies or for the temporary holding of animals in the interest of public safety. The executive director may exempt specific events from the caging and handling requirements established for Class I wildlife. Approval of an exemption will be based on a written request that outlines safety precautions that must be implemented during the specified activity.

(c) Class I wildlife.

(1) Persons legally possessing Class I wildlife prior to June 25, 1991, shall obtain annually a personal possession permit to keep such Class I wildlife. To obtain a personal possession permit, such persons shall comply with all of the provisions of this part. After June 25, 1991, no new animals shall be brought into possession under authority of a personal possession permit. Persons in legal possession of one (1) or more species of Class I wildlife as of June 25, 1991, may maintain the lineage of such species up to a maximum of three (3) animals per species. Persons in legal possession of the offspring of such Class I wildlife shall have a maximum of twelve (12) months from the date of birth of such offspring to obtain appropriate permits for such offspring, or to dispose of such offspring through an appropriate commercial propagator, or by any other manner permitted by law within the state. The provisions of this section apply solely to persons in legal possession of Class I wildlife as of June 25, 1991, and shall not be construed to authorize new personal possession of Class I wildlife.

(2) The executive director shall issue a permit upon a satisfactory showing of qualifications to possess live wildlife under the following conditions:

(A) The applicant must be at least twenty-one (21) years of age;



(B) The applicant must have at least two (2) years of experience in the handling or care of the Class I species for which the applicant is applying, or, in the alternative, must take a written examination, developed and administered by the agency, evidencing basic knowledge of the habits and requirements, in regard to proper diet, health care, exercise needs and housing of the species to be covered by the permit. Experience gained while in violation of this part shall not be considered qualifying experience;

(C) The facilities for holding Class I wildlife must be located on the premises on which the permit holder resides or shall have a full-time resident caretaker to supervise the care and security of the facilities. Facilities for Class I animals may not be on premises of less than one (1) acre for a personal possession permit and three (3) acres for a commercial propagator facility permit, and may not be located in a multi-unit dwelling or trailer park; and

(D) The applicant must have a plan for the quick and safe recapture of the wildlife, or if recapture is impossible, for the destruction of any animal held under the permit. The applicant must have the legal authority to possess weapons or other equipment necessary to carry out the plan and, in fact, possess such weapons or other equipment.

(3) The permittee shall control and maintain Class I wildlife at all times in such a manner as to prevent direct exposure or contact between the animal(s) and the public; provided, that a trained elephant may be brought into contact with the public under the close supervision of a qualified trainer or handler.

(d) No person shall hold live wildlife in captivity without first obtaining the appropriate permit as provided in this part. The annual permits and fees for holding live wildlife are as follows:

(1)(A) PERSONAL POSSESSION. Class I: \$150/animal or \$1,000/facility; and (B) Class II: \$10.00/animal or \$100/facility;

(2) TRANSFER OF OWNERSHIP. A permit for transferring any Class I or II animal held under a personal possession permit. If the transfer of the animal is ordered by the agency, no transfer permit is required;

(3) COMMERCIAL PROPAGATOR. \$1,000/facility for Class I wildlife;

(4) PROPAGATOR \$25.00/facility for small game birds and waterfowl; and \$100/facility for all Class II wildlife except small game birds and waterfowl;

(5) IMPORTATION. \$10.00/shipment or \$100 per year;

(6) TEMPORARY EXHIBITOR. \$100/30 day period;

(7) PERMANENT EXHIBITOR. \$500/year/facility;

(8) COMMERCIAL WILDLIFE PRESERVE. \$150/year for big game; and \$75.00/year for small game;

(9) FALCONRY. \$40.00/year or other time period as might coincide with federal permit requirements;

(10) QUALIFICATION EXAMINATION. \$10.00/examination; and

(11) ZOOS, NATURE CENTERS, REHABILITATION CENTERS, AND EDUCATIONAL EXHIBITS CERTIFIED AS NONPROFIT. No charge.

## **Texas**

• TEX. HEALTH & SAFETY CODE ANN. § 822.101. DEFINITIONS. In this subchapter:

(1) "Animal registration agency" means the municipal or county animal control office with authority over the area where a dangerous wild animal is kept or a county sheriff in an area that does not have an animal control office.

(2) "Board" means the Texas Board of Health.

(3) "Commercial activity" means:

(A) an activity involving a dangerous wild animal conducted for profit that is not inherent to the animal's nature;

(B) an activity for which a fee is charged and that is entertainment using or an exhibition of the animal; or

(C) the selling, trading, bartering, or auctioning of a dangerous wild animal or a dangerous wild animal's body parts.

(4) "Dangerous wild animal" means:

(A) a lion;

(B) a tiger;

(C) an ocelot;

(D) a cougar;

(E) a leopard;

(F) a cheetah;

(G) a jaguar;

(H) a bobcat;

(I) a lynx;

(J) a serval;

(K) a caracal;

(L) a hyena;

- (M) a bear;
- (N) a coyote;
- (O) a jackal;
- (P) a baboon;
- (Q) a chimpanzee;
- (R) an orangutan;
- (S) a gorilla; or
- (T) any hybrid of an animal listed in this subdivision.

(5) "Owner" means any person who owns, harbors, or has custody or control of a dangerous wild animal.

(6) "Person" means an individual, partnership, corporation, trust, estate, joint stock company, foundation, or association of individuals.

(7) "Primary enclosure" means any structure used to immediately restrict an animal to a limited amount of space, including a cage, pen, run, room, compartment, or hutch.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.102. APPLICABILITY OF SUBCHAPTER.

(a) This subchapter does not apply to:

(1) a county, municipality, or agency of the state or an agency of the United States or an agent or official of a county, municipality, or agency acting in an official capacity;

(2) a research facility, as that term is defined by Section 2(e), Animal Welfare Act (7 U.S.C. Section 2132), and its subsequent amendments, that is licensed by the secretary of agriculture of the United States under that Act;

(3) an organization that is an accredited member of the American Zoo and Aquarium Association;

(4) an injured, infirm, orphaned, or abandoned dangerous wild animal while being transported for care or treatment;

(5) an injured, infirm, orphaned, or abandoned dangerous wild animal while being rehabilitated, treated, or cared for by a licensed veterinarian, an incorporated humane society or animal shelter, or a person who holds a rehabilitation permit issued under Subchapter C, Chapter 43, Parks and Wildlife Code;

(6) a dangerous wild animal owned by and in the custody and control of a transient circus company that is not based in this state if:

(A) the animal is used as an integral part of the circus performances; and the animal is kept within this state only during the time the circus is performing in this state or for a period not to exceed 30 days while the circus is performing outside the United States;

(7) a dangerous wild animal while in the temporary custody or control of a television or motion picture production company during the filming of a television or motion picture production in this state;

(8) a dangerous wild animal owned by and in the possession, custody, or control of a college or university solely as a mascot for the college or university;

(9) a dangerous wild animal while being transported in interstate commerce through the state in compliance with the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments and the regulations adopted under that Act;

(10) a nonhuman primate owned by and in the control and custody of a person whose only business is supplying nonhuman primates directly and exclusively to biomedical research facilities and who holds a Class "A" or Class "B" dealer's license issued by the secretary of agriculture of the United States under the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments; and

(11) a dangerous wild animal that is:

(A) owned by or in the possession, control, or custody of a person who is a participant in a species survival plan of the American Zoo and Aquarium Association for that species; and

(B) an integral part of that species survival plan.

(b) This subchapter does not require a municipality that does not have an animal control office to create that office.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.103. CERTIFICATE OF REGISTRATION; FEES.

(a) A person may not own, harbor, or have custody or control of a dangerous wild animal for any purpose unless the person holds a certificate of registration for that animal issued by an animal registration agency.

(b) A certificate of registration issued under this subchapter is not transferrable and is valid for one year after its date of issuance or renewal unless revoked.

(c) The animal registration agency may establish and charge reasonable fees for application, issuance, and renewal of a certificate of registration in order to recover the costs associated with the administration and enforcement of this subchapter. The fee charged to an applicant may not exceed \$50 for each animal registered and may not exceed \$500 for each person registering animals, regardless of the number of animals owned by the person. The fees collected under this section may be used only to administer and enforce this subchapter.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.104. CERTIFICATE OF REGISTRATION APPLICATION.

(a) An applicant for an original or renewal certificate of registration for a dangerous wild animal must file an application with an animal registration agency on a form provided by the animal registration agency.

(b) The application must include:

- (1) the name, address, and telephone number of the applicant;
- (2) a complete identification of each animal, including species, sex, age, if known, and any distinguishing marks or coloration that would aid in the identification of the animal;
- (3) the exact location where each animal is to be kept;
- (4) a sworn statement that:

(A) all information in the application is complete and accurate; and

(B) the applicant has read this subchapter and that all facilities used by the applicant to confine or enclose the animal comply with the requirements of this subchapter; and

(5) any other information the animal registration agency may require.

(c) An applicant shall include with each application:

- (1) the nonrefundable fee;
- (2) proof, in a form acceptable by the animal registration agency, that the applicant has liability insurance, as required by Section 822.107;
- (3) a color photograph of each animal being registered taken not earlier than the 30th day before the date the application is filed;
- (4) a photograph and a statement of the dimensions of the primary enclosure in which each animal is to be kept and a scale diagram of the premises where each animal will be kept, including the location of any perimeter fencing and any residence on the premises; and
- (5) if an applicant holds a Class "A" or Class "B" dealer's license or Class "C" exhibitor's license issued by the secretary of agriculture of the United States under the Animal

Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments, a clear and legible photocopy of the license.

(d) In addition to the items required under Subsection (c), an application for renewal must include a statement signed by a veterinarian licensed to practice in this state stating that the veterinarian:

- (1) inspected each animal being registered not earlier than the 30th day before the date of the filing of the renewal application; and
- (2) finds that the care and treatment of each animal by the owner meets or exceeds the standards prescribed under this subchapter.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.105. DENIAL OR REVOCATION OF CERTIFICATE OF REGISTRATION; APPEAL.

(a) If the animal registration agency finds that an application for an original or renewal certificate of registration under this subchapter does not meet the requirements of Section 822.104 or, after inspection, that an applicant has not complied with this subchapter, the animal registration agency shall deny the applicant a certificate of registration and give the applicant written notice of the denial and the reasons for the denial.

(b) If the animal registration agency finds, after inspection, that a registered owner provided false information in or in connection with the application or has not complied with this subchapter, the animal registration agency shall revoke the certificate of registration and give the owner written notice of the revocation and the reasons for the revocation.

(c) A person may appeal the denial of an original or renewal certificate of registration or the revocation of a certificate of registration to the justice court for the precinct in which the animal is located or the municipal court in the municipality in which the animal is located not later than the 15th day after the date the certificate of registration is denied or revoked. Either party may appeal the decision of the justice or municipal court to a county court or county court at law in the county in which the justice or municipal court is located. The decision of the county court or county court at law may not be appealed.

(d) The filing of an appeal of the denial or revocation of a certificate of registration under Subsection (c) stays the denial or revocation until the court rules on the appeal.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.106. DISPLAY OF CERTIFICATE OF REGISTRATION.

(a) A holder of a certificate of registration shall prominently display the certificate at the premises where each animal that is the subject of the certificate of registration is kept.

(b) Not later than the 10th day after the date a person receives a certificate of registration, the person shall file a clear and legible copy of the certificate of registration with the Texas Department of Health. The department shall establish a procedure for filing a certificate of registration and shall charge a reasonable fee in an amount sufficient to recover the cost associated with filing a certificate of registration under this subsection.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.107. LIABILITY INSURANCE.

An owner of a dangerous wild animal shall maintain liability insurance coverage in an amount of not less than \$100,000 for each occurrence for liability for damages for destruction of or damage to property and death or bodily injury to a person caused by the dangerous wild animal.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.108. INSPECTION.

An owner of a dangerous wild animal, at all reasonable times, shall allow the animal registration agency, its staff, its agents, or a designated licensed veterinarian to enter the premises where the animal is kept and to inspect the animal, the primary enclosure for the animal, and the owner's records relating to the animal to ensure compliance with this subchapter.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.109. RELOCATION OR DISPOSITION OF ANIMAL.

(a) An owner of a dangerous wild animal may not permanently relocate the animal unless the owner first notifies the animal registration agency in writing of the exact location to which the animal will be relocated and provides the animal registration agency, with respect to the new location, the information required by Section 822.104.

(b) Within 10 days after the death, sale, or other disposition of the animal, the owner of the animal shall notify the animal registration agency in writing of the death, sale, or other disposition.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.110. ATTACK BY ANIMAL;  
ESCAPE OF ANIMAL; LIABILITY.

(a) An owner of a dangerous wild animal shall notify the animal registration agency of any attack of a human by the animal within 48 hours of the attack.

(b) An owner of a dangerous wild animal shall immediately notify the animal registration agency and the local law enforcement agency of any escape of the animal.

(c) An owner of a dangerous wild animal that escapes is liable for all costs incurred in apprehending and confining the animal.

(d) An animal registration agency, a law enforcement agency, or an employee of an animal registration agency or law enforcement agency is not liable to an owner of a dangerous wild animal for damages arising in connection with the escape of a dangerous wild animal, including liability for damage, injury, or death caused by the animal during or after the animal's escape, or for injury to or death of the animal as a result of apprehension or confinement of the animal after escape.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.111. POWERS AND DUTIES OF  
BOARD; CAGING REQUIREMENTS AND STANDARDS.

(a) The board by rule shall establish caging requirements and standards for the keeping and confinement of a dangerous wild animal to ensure that the animal is kept in a manner and confined in a primary enclosure that:

- (1) protects and enhances the public's health and safety;
- (2) prevents escape by the animal; and
- (3) provides a safe, healthy, and humane environment for the animal.

(b) An owner of a dangerous wild animal shall keep and confine the animal in accordance with the caging requirements and standards established by the board.

(c) An animal registration agency may approve a deviation from the caging requirements and standards established by the board, only if:

- (1) the animal registration agency has good cause for the deviation; and
- (2) the deviation:

(A) does not compromise the public's health and safety;



- (B) does not reduce the total area of the primary enclosure below that established by the board; and  
(C) does not otherwise adversely affect the overall welfare of the animal involved.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.112. CARE, TREATMENT, AND TRANSPORTATION OF ANIMAL.

(a) For each dangerous wild animal, the owner shall comply with all applicable standards of the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments and the regulations adopted under that Act relating to:

- (1) facilities and operations;
- (2) animal health and husbandry; and
- (3) veterinary care.

(b) An owner of a dangerous wild animal shall maintain a separate written log for each dangerous wild animal documenting the animal's veterinary care and shall make the log available to the animal registration agency or its agent on request. The log must:

- (1) identify the animal treated;
- (2) provide the date of treatment;
- (3) describe the type or nature of treatment; and
- (4) provide the name of the attending veterinarian, if applicable.

(c) When transporting a dangerous wild animal, the owner of the animal, or a designated carrier or intermediate handler of the animal, shall comply with all transportation standards that apply to that animal under the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments or the regulations adopted under that Act.

(d) A person is exempt from the requirements of this section if the person is caring for, treating, or transporting an animal for which the person holds a Class "A" or Class "B" dealer's license or a Class "C" exhibitor's license issued by the secretary of agriculture of the United States under the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.113. OFFENSE AND PENALTY.

(a) A person commits an offense if the person violates Section 822.103(a), Section 822.106, or Section 822.110(a) or (b). Each animal with respect to which there is a violation and each day that a violation continues is a separate offense.

(b) A person commits an offense if the person knowingly sells or otherwise transfers ownership of a dangerous wild animal to a person who does not have a certificate of registration for that animal as required by this subchapter.

(c) An offense under this section is a Class C misdemeanor.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.114. CIVIL PENALTY.

(a) A person who violates Section 822.103(a) is liable for a civil penalty of not less than \$200 and not more than \$2,000 for each animal with respect to which there is a violation and for each day the violation continues.

(b) The county or municipality in which the violation occurs may sue to collect a civil penalty. A civil penalty collected under this subsection may be retained by the county or municipality.

(c) The county or municipality in which the violation occurs may also recover the reasonable costs of investigation, reasonable attorney's fees, and reasonable expert witness fees incurred by the animal registration agency in the civil action. Costs or fees recovered under this subsection shall be credited to the operating account from which payment for the animal registration agency's expenditures was made.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.115. INJUNCTION.

Any person who is directly harmed or threatened with harm by a violation of this subchapter or a failure to enforce this subchapter may sue an owner of a dangerous wild animal to enjoin a violation of this subchapter or to enforce this subchapter.

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• TEX. HEALTH & SAFETY CODE ANN. § 822.116. EFFECT OF SUBCHAPTER ON OTHER LAW.

(a) This subchapter does not affect the applicability of any other law, rule, order, ordinance, or other legal requirement of this state or a political subdivision of this state.

(b) This subchapter does not prevent a municipality or county from prohibiting or regulating by ordinance or order the ownership, possession, confinement, or care of a dangerous wild animal.

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• TEX. LOC. GOV'T CODE ANN. § 240.002(a), Local Government Code, is amended to read as follows:

(a) The commissioners court of a county by order may prohibit or regulate the keeping of a wild animal in the county:

- (1) at a residence; or
- (2) within 1,000 feet of a residence or public school.

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• TEX. LOC. GOV'T CODE ANN. § 240.0025

(a) Except as provided by this section, this Act takes effect September 1, 2001.

(b) A person is not required to obtain a certificate of registration for a dangerous wild animal under Subchapter E, Chapter 822, Health and Safety Code, as added by this Act, before June 1, 2002.

(c) Not later than December 1, 2001, each municipality and county shall adopt any ordinance or order necessary to implement and administer the certificate of registration program created by Subchapter E, Chapter 822, Health and Safety Code, as added by this Act, including ordinances or orders relating to the applications for original and renewal certificates of registration, fees for registration and renewal, and the form and content of the application and the certificate of registration.

(d) Not later than March 1, 2002, the Texas Board of Health shall adopt the rules required under Section 822.111, Health and Safety Code, as added by this Act.

## **Utah**

• UTAH ADMIN. R. 657-3-17 - Personal Use.

A person may collect and subsequently possess live or dead zoological animals or their parts for a personal use only as follows:

(1) Certificates of registration are not issued for the collection and subsequent possession of any species or subspecies of zoological animals or their parts classified as prohibited.

(2) A certificate of registration is required for collecting and subsequently possessing any species or subspecies of zoological animals or their parts classified as controlled, except as otherwise provided by the Wildlife Board.

(3) A certificate of registration is not required for collecting and subsequently possessing species or subspecies of zoological animals or their parts classified as noncontrolled, except as provided in Subsections R657-3-20(3)(b), R657-3-25(3)(b), and R657-3-31(3)(b).

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• UTAH ADMIN. R. 657-3-24 - Classification of Mammals.

(1) Mammals are classified as follows for collection:

TABLE 4

Common Name	Family	Genus/Species	Classification
Abert's Squirrel	Sciuridae	Sciurus aberti	Prohibited
Bats	All families	All species	Prohibited
Bears	Ursidae		
Black bear	Ursus	americanus	Prohibited
Grizzly bear	Ursus	arctos	Prohibited
Big game mammals			
Bighorn sheep	Bovidae	All species	Prohibited
Bison (wild, free-ranging)	Bovidae	Bison bison	Prohibited
Elk (wild)	Cervidae	Cervus elaphus canadensis	Prohibited
Mule deer	Cervidae	Odocoileus hemionus	Prohibited
Moose	Cervidae	Alces alces	Prohibited
Pronghorn antelope	Antilocapridae	Antilocapra americana	Prohibited
Rocky Mountain Goat	Bovidae	Oreamnos americanus	Prohibited
Canids	Canidae	All species	Prohibited
Cats	Felidae	All species except felis catus which is domestic	Prohibited
Chipmunks	Sciuridae	Tamias/all species	Noncontrolled
Ground squirrel	Sciuridae		
Golden-mantled	Spermophilus	lateralis	Noncontrolled
Townsend	Spermophilus	townsendii	Noncontrolled
Uinta	Spermophilus	armatus	Noncontrolled
Whitetail antelope	Spermophilus	leucurus	Noncontrolled
Hares and Rabbits	Leporidae		
Cottontail	Sylvilagus/	all species	Prohibited
Snowshoe	Lepus	americanus	Prohibited

Kangaroo mice Heteromyidae Microdipodos Megacephalus Noncontrolled  
 Kangaroo rats Heteromyidae  
 Merriam kangaroo rat Dipodomys merriami Prohibited  
 Desert kangaroo rat Dipodomys deserti Prohibited  
 Mustelids Mustelidae All species (badger, black-footed ferret, marten, mink, river otter, skunk, weasel, and wolverine) Prohibited  
 Northern pocket gopher Geomyidae Thomomys bottae Noncontrolled  
 Rats Muridae All species Noncontrolled  
 Ringtail Bassari-Scidae Bassariscus astutus Prohibited  
 Utah prairie dog Sciuridae Cynomys parvidens Prohibited

(2) All species and subspecies of mammals not listed in Table 4 are classified as controlled.

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• UTAH ADMIN. R. 657-3-25 - Classification of Reptiles

(1) Reptiles are classified as follows for collection:

TABLE 5

Common Name	Family	Genus/Species	Classification
<b>Lizards</b>			
Banded gila monster	Helodermatidae	Heloderma suspectum cinctum	Prohibited
Desert night lizard	Xantusiidae	Xantusia vigilis vigilis	Controlled
Desert iguana	Iguanidae	Dipsosaurus dorsalis dorsalis	Prohibited
Mojave zebra tailed lizard	Phrynosomatidae	Callisaurus draconoides rhodostictus	Controlled
Glen Canyon chuckwalla	Iguanidae	Sauromalus obesus multiforminatus	Prohibited
Utah banded gecko	Gekkonidae	Coleonyx variegatus utahensis	Controlled
Utah night lizard	Xantusiidae	Xantusia vigilis utahensis	Controlled
Western chuckwalla	Iguanidae	Sauromalus obesus obesus	Prohibited
<b>Snakes</b>			
California kingsnake (black-and- white banded form)	Colubridae	Lampropeltis getula californiae	Controlled
Desert glossy snake	Colubridae	Arizona elegans eburnata	Prohibited
Great Plains rat snake	Colubridae	Elaphe guttata emoryi	Controlled
Mojave Desert sidewinder	Viperidae	Crotalus cerastes cerastes	Prohibited
Mojave patch-nosed snake	Colubridae	Salvadora hexalepis mojavensis	Controlled
Mojave rattlesnake	Viperidae	Crotalus scutulatus	Prohibited
Sonoran lyre snake	Colubridae	Trimorphodon biscutatus lambda	Prohibited
Speckled rattlesnake	Viperidae	Crotalus mitchellii	Prohibited
Utah (western) blind snake	Leptotyphlopidae	Leptotyphlops humilis utahensis	Controlled
Utah milk snake	Colubridae	Lampropeltis triangulum taylori	Prohibited

Utah mountain kingsnake Colubridae Lampropeltis pyromelana infralabialis Prohibited  
Western rattlesnake Viperidae Crotalus viridis including all subspecies Controlled  
Turtles  
Desert tortoise Testudinidae Gopherus agassizii Prohibited

(2) All species and subspecies of reptiles not listed in Table 5 are classified as noncontrolled.

(3)(a) Up to three reptiles of each species classified as noncontrolled may be collected and subsequently possessed without obtaining a certificate of registration. (b) A person must obtain a certificate of registration to collect and subsequently possess four or more reptiles of each species classified as noncontrolled within a calendar year, except as provided in Subsection (4).

(4) A person may collect and subsequently possess any number of the following species of zoological animals without obtaining a certificate of registration: (a) Side-blotched lizard (*Uta stansburiana*); and (b) Western terrestrial garter snake (*Thamnophis elegans*).

(5) A person may not transport a live snapping turtle or Texas spiny softshell turtle from the water from which it was captured without first obtaining a certificate of registration.

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• UTAH ADMIN. R. 657-3-27 - Personal, Scientific, or Educational Use.

A person may import and subsequently possess live species or subspecies of zoological animals for a personal, scientific, or educational use only as follows:

(1)(a) Certificates of registration are not issued for importing and subsequently possessing any live species or subspecies of zoological animals classified as prohibited, except as provided in Subsection (b).

(b) The division may issue a certificate of registration to a zoo, aviary, government agency, a person involved in wildlife research, university, or college to import and subsequently possess live species or subspecies of zoological animals classified as prohibited if, in the opinion of the division, the scientific or educational activity is beneficial to wildlife or significantly benefits the general public without material detriment to wildlife.

(2) A certificate of registration, an entry permit number, and a certificate of veterinary inspection are required for importing and subsequently possessing any live species or subspecies of zoological animals classified as controlled.

(3) A certificate of registration is not required for importing and subsequently possessing any live species or subspecies of zoological animals classified as noncontrolled.

**Vermont**

- VT. STAT. ANN. Tit. 10, §4709 - Importation, stocking wild animals

(a) A person shall not bring into the state or possess any live wild bird or animal of any kind, unless, upon application in writing therefor, the person obtains from the commissioner a permit to do so. The importation permit may be granted under such regulations therefor as the board shall prescribe and only after the commissioner has made such investigation and inspection of the birds or animals as she or he may deem necessary. The department may dispose of unlawfully imported wildlife as it may judge best, and the state may collect treble damages from the violator of this subsection for all expenses incurred.

(b) Nothing in this section shall prohibit the commissioner or duly authorized agents of the fish and wildlife department from bringing into the state for the purpose of planting, introducing or stocking, or from planting, introducing or stocking in the state, any wild bird or animal.

(c) Applicants shall pay a permit fee of \$50.00.

**Virginia**

- 4 VAC 15-30-10 - Possession, importation, sale, etc., of wild animals.

Under the authority of §§ 29.1-103 and 29.1-521 of the Code of Virginia it shall be unlawful to take, possess, import, cause to be imported, export, cause to be exported, buy, sell, offer for sale, or liberate within the Commonwealth any wild animal unless otherwise specifically permitted by law or regulation. Unless otherwise stated, for the purposes of identifying species regulated by the board, when both the scientific and common names are listed, the scientific reference to genus and species will take precedence over common names.

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- 4 VAC 15-30-40 - Importation requirements, possession and sale of nonnative (exotic) animals. A. Permit required. A special permit is required and may be issued by the department, if consistent with the department's fish and wildlife management program, to import, possess, or sell those nonnative (exotic) animals listed below that the board finds and declares to be predatory or undesirable within the meaning and intent of § 29.1-542 of the Code of Virginia, in that their introduction into the Commonwealth will be detrimental to the native fish and wildlife resources of Virginia:

**AMPHIBIANS:**

Order Family Genus/Species Common Name

Anura Buforidae *Bufo marinus* Giant or marine toad\*  
Pipidae *Xenopus* spp. Tongueless or African clawed frog  
Caudata mbystomatidae *Ambystoma tigrum* *Mavortium* Barred tiger salamander  
A. t. *Diaboli* Gray tiger  
A. t. *Melanostictum* Blotched tiger Salamander

BIRDS:

Order Family Genus/Species Common Name  
Psittaciformes Psittacidae *Myiopsitta monachus* Monk parakeet\*

FISH:

Order Family Genus/Species Common Name  
Cypriniformes Catostomidae *Ictiobus bubalus* Smallmouth buffalo\*  
I. *cyprinellus* Bigmouth buffalo\*  
I. *niger* Black buffalo\*  
Characidae *Pygopristis* spp. Piranhas  
Pygocentrus spp.  
Rooseveltiella spp.  
Serrasalmo spp.  
Taddyella spp.  
Cyprinidae *Aristichthys nobilis* Bighead carp\*  
*Ctenopharyngodon idella* Grass carp or white amur  
*Cyprinella lutrensis* Red shiner  
*Hypophthalmichthys molitrix* Silver carp\*  
*Mylopharyngodon piceus* Black carp  
*Scardinius erythrophthalmus* Rudd  
*Tinca tinca* Tench\*

Gobiesociformes Gobiidae *Proterorhinus marmoratus* Tubenose goby

*Neogobius melanostomus* Round goby

Perciformes Cichlidae *Tilapia* spp. Tilapia

*Gymnocephalus cernuum* Ruffe\*

Siluriformes Clariidae All Species Air-breathing catfish

MAMMALS:

Order Family Genus/Species Common Name

Artiodactyla Suidae All Species Pigs or Hogs\*

Cervidae All Species Deer\*

Carnivora Canidae All Species Wild Dogs,\* Wolves, Coyotes or Coyote hybrids, Jackals and Foxes

Ursidae All Species Bears\*

Procyonidae All Species Raccoons and\* Relatives

Mustelidae All Species Weasels, Badgers,\* Skunks and Otters  
(except *Mustela putorius furo*) Ferret

Viverridae All Species Civets, Genets, Lingsangs, Mongooses, and Fossas

Herpestidae All Species Mongooses\*

Hyaenidae All Species Hyenas\*

Proteles *crystatus* Aardwolf\*

Felidae All Species Cats\*

Chiroptera All Species Bats\*



Lagomorpha Leporidae Leppus Europeaeus European hare

Oryctolagus cuniculus European rabbit

Rodentia Sciuridae Cynomys spp. Prairie dogs

MOLLUSKS:

Order Family Genus/Species Common Name

Veneroida Dreissenidae Dreissena Polymorpha Zebra mussel

REPTILES:

Order Family Genus/Species Common Name

Squamata Alligatoridae All Species Alligators, Caimans\*

Colubridae Boiga irregularis Brown tree snake\*

Crocodylidae All Species Crocodiles\*

Gavialidae All Species Gavials\*

B. Temporary possession permit for certain animals. Notwithstanding the permitting requirements of subsection A, a person, company or corporation possessing any nonnative (exotic) animal, designated with an asterisk (\*) in subsection A, prior to July 1, 1992, must declare such possession in writing to the department by January 1, 1993. This written declaration shall serve as a permit for possession only, is not transferable, and must be renewed every five years. This written declaration must include species name, common name, number of individuals, date or dates acquired, sex (if possible), estimated age, height or length, and other characteristics such as bands and band numbers, tattoos, registration numbers, coloration, and specific markings. Possession transfer will require a new permit according to the requirements of this subsection.

C. Exception for certain monk parakeets. A permit is not required for monk parakeets (quakers) that have been captive bred and are closed-banded.

D. Exception for parts or products. A permit is not required for parts or products of those nonnative (exotic) animals listed in subsection A that may be used in the manufacture of products or used in scientific research, provided that such parts or products be packaged outside the Commonwealth by any person, company, or corporation duly licensed by the state in which the parts originate. Such packages may be transported into the Commonwealth, consistent with other state laws and regulations, so long as the original package remains unbroken, unopened and intact until its point of destination is reached. Documentation concerning the type and cost of the animal parts ordered, the purpose and date of the order, point and date of shipping, and date of receiving shall be kept by the person, business or institution ordering such nonnative (exotic) animal parts. Such documentation shall be open to inspection by a representative of the Department of Game and Inland Fisheries.

E. Exception for certain mammals. Nonnative (exotic) mammals listed in subsection A that are imported or possessed by dealers, exhibitors, transporters, and researchers who are licensed or registered by the United States Department of Agriculture under the Animal Welfare Act (7 U.S.C. §§ 2131 et seq.) will be deemed to be permitted pursuant to this section, provided that those individuals wanting to import such animals notify the department 24 hours prior to importation with a list of animals to be imported, a schedule

of dates and locations where those animals will be housed while in the Commonwealth, and a copy of the current license or licenses or registration or registrations from the U.S. Department of Agriculture, and further provided that such animals shall not be liberated within the Commonwealth.

F. Exception for prairie dogs. The effective date of listing of prairie dogs under subsection A of this section shall be January 1, 1998. Prairie dogs possessed in captivity in Virginia on December 31, 1997, may be maintained in captivity until the animals' deaths, but they may not be sold on or after January 1, 1998, without a permit.

G. All other nonnative (exotic) animals. All other nonnative (exotic) animals not listed in subsection A of this section may be possessed and sold; provided, that such animals shall be subject to all applicable local, state, and federal laws and regulations, including those that apply to threatened/ endangered species, and further provided, that such animals shall not be liberated within the Commonwealth.

## **Washington**

- WASH. ADMIN. CODE §16-54-030 Health certificate.

(1) All animals entering Washington shall be accompanied by an official health certificate except:

(a) Dogs and cats originating in Washington and visiting Canada for thirty days or less.

(b) Dogs, cats and ferrets that are family pets traveling by private automobile with their owners who possess a current rabies certificate for the animals. This exemption does not apply to dogs, cats or ferrets imported for sale or puppies, kittens, or kits too young to vaccinate.

(c) Horses traveling into Washington with their Oregon or Idaho owners in personal vehicles for round-trip visits of not more than ninety-six hours duration. This exemption does not apply during emergency disease conditions declared by the state veterinarian or extend to any required testing.

(d) Llamas and alpacas traveling into Washington with their Oregon or Idaho owners in personal vehicles for round-trip visits of not more than ninety-six hours duration. This exemption does not apply during emergency disease conditions declared by the state veterinarian.

(e) Sheep traveling into Washington with their Oregon or Idaho owners in personal vehicles for round-trip visits of not more than ninety-six hours duration. This exemption does not apply during emergency disease conditions declared by the state veterinarian or extend to any animals entering for breeding purposes.

- (f) Those classes of animals specifically exempted in laws or regulations of this state.
- (2) Official health certificate shall contain the following information:
- (a) Date of inspection. All health certificates void after thirty days, except breeding cattle forty-five days from date of issue. The director may give special exemption for show animals.
- (b) Names and addresses of the consignor and consignee.
- (c) Certification that the animals are apparently free from evidence of infectious and communicable disease.
- (d) Test or vaccination status when required.
- (e) Description of each animal to include species, breed, age, sex, tag or tattoo and for cattle, only an official ear tag will be accepted or if registered, the registry name, number and tattoo for individual identification except one brand or other owner identified animals, all of the same description, for which tests are not required.
- (f) Certification of disinfection of cars and trucks when required.
- (g) An owner/agent statement which says "the animals in this shipment are those certified to and listed on this certificate" and is signed and dated by the owner, agent, or veterinarian.
- (3) All health certificates shall be reviewed by the livestock sanitary official of the state of origin and a copy shall be forwarded immediately to the department of agriculture, Olympia, Washington.

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• WASH. ADMIN. CODE §16-54-035 Certification of health - Wild and exotic animals.

- (1) An official interstate health certificate or certificate of veterinary inspection stating that all listed animals are free from clinical symptoms of infectious or communicable disease shall be prepared prior to entry into the state of Washington and issued by an accredited veterinarian licensed in the state of origin for all captive wild and exotic animals and shall contain the following:
- (a) Common and scientific name(s) of the animals.
- (b) Number of animals.
- (c) Appropriate description of animals by criteria such as sex, age, weight, coloration.

- (d) Permanent individual animal identification.
- (e) Date of anticipated shipment.
- (f) Name and address of consignor and consignee.
- (g) Origin of shipment.
- (h) Signature of veterinarian and owner or agent.
- (i) Permit number issued by the Washington state veterinarian.

(2) The following tests or qualifications required for wild and exotic animals shall be performed by a licensed and accredited veterinarian prior to entry into the state of Washington:

(a) Brucellosis. The interpretation of brucellosis test results on captive wild or exotic animals shall be held by the Washington state veterinarian. Serologic testing must be conducted in accordance with state/federal brucellosis protocol within thirty days prior to entry for the following categories of captive wild or exotic animals over six months of age.

(i) *Brucella abortus*.

(A) Camelidae: Such as vicuna, guanaco.

(B) Cervidae: Such as elk, caribou, moose, reindeer, deer.

(C) Giraffidae: Such as giraffe, okapi.

(D) Bovidae: Such as antelopes, wild cattle (gaur, banteng, kaupre, yak), bison (American bison, also refer to WAC 16-54), European bison, buffalo (Asian water buffalo, tamaraw, lowland anoa, mountain anoa, African buffalo), wild sheep (bighorn sheep, dalls sheep, mouflon, argoli, uriol, blue sheep, barbary sheep, red sheep), wild goats (rocky mountain goat, ibex, walia ibex, west caucasion tur, east caucasion tur, spanish ibex, markhor).

(ii) *Brucella suis*.

(A) Suidae: Wild swine (European wild boar, bearded pig, Jovan pig, pygmy hog, wart hog, giant forest pig, Babirusa, African bush pig, peccaries).

(B) Caribou, reindeer (*Brucella suis* Biovar 4).

(iii) *Brucella ovis*. All wild sheep and goats must be tested and found negative to *B. ovis* within thirty days prior to entry.

(b) Tuberculosis (*Mycobacterium bovis* and *Mycobacterium tuberculosis*) a skin test or other approved test must be conducted in accordance with federal tuberculosis protocols within thirty days prior to entry into Washington for the following categories of captive wild exotic animals as specified by the director. Animals under six months of age that are nursing negative tested dams may be excluded from the test requirements.

(i) Ceropithecidae: Old world primates.

(ii) Hylobotidae: Gibbons or Lessor apes.

(iii) Pongidae: Great apes.

(iv) Bovidae: Such as antelopes, wild cattle, wild sheep and wild goats.

(v) Cervidae: Such as elk, caribou, moose, reindeer, deer must be from herds not known to be affected with or exposed to tuberculosis and comply with the following *Mycobacterium bovis* testing requirements:

(A) Be negative to a 0.1 ml single cervical tuberculin test within thirty days prior to importation and originate from a herd which has had a negative complete herd test within twelve months or as otherwise required by the director of all eligible animals using the 0.1 ml single cervical test and all additions to the herd have been tested negative by the same test procedure and standards; or

(B) Be negative to a 0.1 ml single cervical tuberculin test within thirty days prior to importation and be confined at the destination for at least ninety days after arrival and retested for *M. bovis* after the confinement period using the 0.1 ml single cervical test. Testing and confinement under this subsection will be allowed only where the director can be assured of the negative tuberculosis status of the herd by methods other than by those in (v)(A) of this subsection.

(C) Originate from a state with a state program substantially equivalent to chapter 16-88 WAC, "Control of tuberculosis in cervidae," and meet the requirements of a herd status plan and interstate testing requirements outlined in WAC 16-88-030 and 16-88-040.

(vi) Giraffidae: Giraffe, okapi must be tested by a single cervical test.

(c) Animals that show positive reaction on a skin test may be tested by additional approved skin tests, micro-biological cultures, radiographs or serology to fully assess the status in regard to tuberculosis and to confirm or deny the possibility of a false positive reading of the skin test. Final decision on the tuberculosis classification status of such animals will be made by the Washington state veterinarian.

(d) For all captive wild or exotic animals not listed in (b) of this subsection, the following statement signed by the owner or agent shall be placed on the health certificate. "To my knowledge the animals listed herein are not infected with tuberculosis and have not been exposed to animals infected with tuberculosis during the past twelve months."

(e) Pseudorabies: Tested negative within thirty days of import. Held in quarantine for thirty to sixty days pending retest post entry.

Suidae: All wild swine.

(f) Equine Infectious Anemia: Tested negative on an approved test for equine infectious anemia within six months prior to entry for all wild horses, asses and hybrids.

(g) Elaphostrongylinae: *Parelaphostrongylus tenvis* (meningeal worm) and *Elaphostrongylus cervis* (muscle worm).

All cervidae must be examined prior to entry into Washington state for Elaphostrongylinae infection in the absence of anthelmintic treatment that could mask detection of the parasite.

(i) Cervidae as specified by the director which have resided for at least six months west of a line through the eastern boundaries of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas or geographical boundaries as otherwise designated by the state veterinarian must have a negative fecal exam for dorsal-spined larvae made by an approved laboratory using the Baermann technique. Animals tested shall be certified to have not been treated with or exposed to anthelmintics, including ivermectin (IVOMEC R) for at least thirty days prior to testing.

(ii) Cervidae as specified by the director which have resided for less than six months west of a line through the eastern boundaries of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas or geographical boundaries as otherwise designated by the state veterinarian or from east of that line shall be held in preentry quarantine for thirty to sixty days and two fecal tests for dorsal-spined larvae made by an approved laboratory using the Baermann technique. The first test must be conducted at least thirty days and not more than forty days before the second test. During this period, which shall be at least thirty days, test animals must be held in quarantine and isolated from all other cervidae not included in the shipment. Animals so tested shall be certified to have not been treated with or exposed to anthelmintics including ivermectin (IVOMEC R) during the time period beginning at least thirty days before the first fecal test and extending to at least one hundred eighty days after importation. Fecal samples of at least thirty grams per sample are to be collected by an accredited veterinarian from the rectum and identified to the animal by the official animal identification number. If any animal tests positive to either of the two fecal tests, neither the consignment or any portion of the consignment may be imported into Washington.

Postentry animals must be held for one hundred eighty days in on-site quarantine and they must be available for inspection by the director of agriculture during this time. Thirty, sixty, ninety, one hundred twenty, one hundred fifty, and one hundred eighty days after arrival, fecal samples must be tested by the Baermann technique in an approved laboratory and found negative for dorsal-spined larvae; animals that test positive must be removed from the state or destroyed.

The quarantine site must be prepared and inspected prior to the entrance of the imported animals to prevent the presence of the gastropod intermediate hosts of Elaphostrongylinae larvae by:

(A) Keeping the animals on a hard surface, such as asphalt or concrete; or

(B) Spraying a four-meter wide tract around the perimeter of the holding compound with an EPA registered molluscicide and also spraying within the quarantine area. The perimeter tract has to be treated once every five days and within twenty-four hours of precipitation (10 mm or more) to ensure the gastropod population is kept to zero within the compound.

(h) Rabies: Any mammal of the order carnivora that has been taken from the wild may not enter the state if a diagnosis of rabies has been made in the state of origin during the past twelve months.

(i) Qualifications, specific tests, or statements required for birds prior to entry into the state of Washington:

Pullorum and Fowl Typhoid.

(A) Commercial game birds and their eggs unless going directly to slaughter, must originate from a producer who is participating in the pullorum-fowl typhoid control phase of the National Poultry Improvement Plan (NPIP) or the birds must test serologically negative for pullorum and fowl typhoid within the past thirty days. In the case of eggs and hatchling birds, negative serologic tests for pullorum and fowl typhoid from a breeder flock not participating in the NPIP must be shown negative within the past thirty days. Serum testing or NPIP member status are also required for the following species: Bobwhite quail (*Colinus virginianus*), Coturnix quail (*Coturnix coturnix*), pure or hybrid Ring-necked pheasant (*Phasianus colchicus*), Chukar (*Alectoris chukar*), Hungarian partridge (*Perdix perdix*), Wild turkey (*Meleagris gallopavo*).

(B) In lieu of pullorum and fowl typhoid testing for certain other birds, the following statement can be placed on the health certificate: "To my knowledge, birds listed herein are not infected with pullorum or fowl typhoid and have not been exposed to birds infected with pullorum or fowl typhoid during the past twelve months." This statement should be signed by the owner or the owner's representative. This rule would apply to the following birds: All Galliformes except those listed in (i)(A) of this subsection; all Anseriformes.

(j) Mycoplasmosis.

All wild turkeys of the species *Meleagris gallopavo* and their eggs, unless going directly to slaughter must originate from a producer who is participating in the mycoplasmosis control phase of the NPIP or the birds must have tested serologically negative for *Mycoplasma gallisepticum* and *M. synoviae* within the past thirty days. In the case of eggs and hatchling birds, the breeder flock must be an NPIP participant or must have tested negative in the past thirty days.

(k) Duck Plague (Duck Virus Enteritis, D.V.E.) and Avian Cholera.

The statement, "To my knowledge, birds listed herein are not infected with duck plague or avian cholera and have not been exposed to birds known to be infected with duck plague or avian cholera within the past one hundred eighty days." must be written on the health certificate of all Anseriformes entering the state. The statement must be signed by the owner or the owner's representative.

(l) Exotic Newcastle Disease (viscerotropic, velogenic viruses) and Psittacosis.

(i) The statement, "To my knowledge, birds listed herein are not infected with exotic Newcastle disease or psittacosis and have not been exposed to birds known to be infected with exotic Newcastle disease or psittacosis within the past thirty days," must be written on the health certificate of all psittacine birds entering the state. The statement must be signed by the owner or the owner's representative.

(ii) While in transit or while being offered for sale, the following birds which have been repeatedly associated with introductions of exotic Newcastle disease must be identified with a numbered leg band or other approved method of identification:

Yellow naped Amazon parrot (*Amazona ochrocephala auropalliata*).

Mexican double yellow head parrot (*Amazona ochrocephala oratrix*).

Mexican red head parrot (*Amazona viridigenalis*).

Spectacled Amazon parrot (*Amazona albifrons albifrons*).

Yellow cheeked Amazon parrot (*Amazona autumnalis autumnalis*).

Green conure (*Aratinga holochlora*, *A. strenua*, *A. leucophthalmus*).

Military macaw (*Ara militaris*).

Lilac crowned Amazon parrot (*Amazona finschi*).



## **West Virginia**

- W. VA. CODE § 20-2-51 - Permit for keeping pets.

The director may issue a permit to a person to keep and maintain in captivity as a pet, a wild animal or wild bird that has been acquired from a commercial dealer or during the legal open season. The fee therefor shall be two dollars.

## **Wisconsin**

- N/A

## **Wyoming**

- WYO. STAT. §23-1-101 - Definitions of wildlife.

(a) AS USED IN THIS ACT:

(i) "Big game animal" means antelope, bighorn sheep, deer, elk, moose or mountain goat;

(ii) "Exotic species" means any wild animals, including amphibians, reptiles, mollusks, crustaceans or birds not found in a wild, free or unconfined status in Wyoming;

(iii) "Furbearing animal" means badger, beaver, bobcat, marten, mink, muskrat or weasel;

(iv) "Game bird" means grouse, partridge, pheasant, ptarmigan, quail, wild turkey and migratory game birds;

(v) "Game fish" means bass, catfish, crappie, grayling, ling, northern pike, perch, salmon, sauger, sunfish, trout, walleye or whitefish;

(vi) "Migratory game bird" means all migratory game birds defined and protected under federal law;

(vii) "Predacious bird" means English sparrow and starling;

(viii) "Predatory animal" means coyote, jackrabbit, porcupine, raccoon, red fox, wolf, skunk or stray cat;

(ix) "Protected animal" means black-footed ferret, fisher, lynx, otter, pika or wolverine;

(x) "Protected bird" means migratory birds as defined and protected under federal law;

(xi) "Small game animal" means cottontail rabbit or snowshoe hare, and fox, grey and red squirrels;

(xii) "Trophy game animal" means black bear, grizzly bear or mountain lion;

(xiii) "Wildlife" means all wild mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks, and wild bison designated by the Wyoming game and fish commission and the Wyoming livestock board within Wyoming.

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· WYO. STAT. §23-1-103 - Ownership of wildlife; purpose of provisions.

For the purpose of this act, all wildlife in Wyoming is the property of the state. It is the purpose of this act and the policy of the state to provide an adequate and flexible system for control, propagation, management, protection and regulation of all Wyoming wildlife. There shall be no private ownership of live animals classified in this act as big or trophy game animals.

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· WYO. REG. Chapter 10, §5 - Importation/Possession Permit Required For Live Wildlife.

Except as exempted in this regulation, a permit from the Department is required prior to importation, possession, confinement, and/or transportation of any living wildlife. Any living wildlife may be transported through the state of Wyoming if the person transporting said wildlife is in possession of a valid permit for interstate transportation of live wildlife. An interstate transportation permit shall be valid as long as live wildlife are confined within the conveyance. It shall be a violation of this regulation to intentionally or unintentionally release within Wyoming from the transporting conveyance any wildlife held under an interstate transportation permit.

(a) Importation/Possession Without Permit. The animals listed in this subsection are exempt from this regulation and may be imported, possessed, transported, and/or confined without securing a permit from the Department. (However, the Wyoming Livestock Board should be contacted regarding their regulations.)

(i) Birds

cage and aviary birds,

domestic chicken (*Gallus gallus*),

domesticated emu (*Dromaius novaehollandiae*),

domestic greylag goose (*Anser anser*)

domesticated guinea fowl (*Numida meleagris*),

domestic mallard (*Anas platyrhynchos*) distinguished morphologically from wild mallards,

domestic muscovy duck (*Cairina moschata*)

domesticated ostrich (*Struthio camelus*)

domesticated peafowl (*Pavo cristatus*)

pigeons (*Columba livia*)

domesticated rhea (*Rhea americana* and *Rhea pennata*)

domestic swan goose (*Anser cygnoides*),

domestic turkey (*Meleagris gallopavo*) distinguished morphologically from wild turkeys,

predacious birds as defined in Wyoming Statute §23-1-101(i)(vii): English (house) sparrow (*Passer domesticus*) and starling (*Sturnus vulgaris*).

(ii) Mammals

domesticated alpaca (*Lama pacos*),

ass, burro, and donkey (*Equus asinus*),

bison (*Bison bison*); except those classified as wild bison by the Wyoming Game and Fish Commission and the Wyoming Livestock Board within Wyoming require a permit from the Department,

domesticated camel (*Camelus bactrianus* and *Camelus dromedarius*),

cat (*Felis catus*),

domestic cattle (*Bos taurus* and *Bos indicus*),

domesticated chinchilla (*Chinchilla laniger*),

dog (*Canis familiaris*),

domestic ferret (*Mustela furo*),

domesticated Mongolian gerbil (*Meriones unguiculatus*),  
domestic goat (*Capra hircus*),  
domesticated guinea pig (*Cavia porcellus*),  
domesticated hamster (*Mesocricetus auratus*),  
horse (*Equus caballus*),  
domesticated llama (*Lama glama*),  
domesticated mouse (*Mus musculus*),  
mule and hinny (*Equus asinus* x *Equus caballus*),  
domesticated European rabbit (*Oryctolagus cuniculus*),  
domesticated rat (*Rattus norvegicus* and *Rattus rattus*),  
domestic sheep (*Ovis aries*), distinguished morphologically from wild sheep,  
domestic swine (*Sus domesticus*),  
domesticated vicuna (*Vicugna vicugna*),  
domesticated yak (*Bos grunniens*).

predatory animals, excluding wolves, as defined in Wyoming Statute §23-1-101(a)(viii): coyote (*Canis latrans*), jackrabbit (*Lepus townsendi* and *Lepus californicus*), porcupine (*Erethizon dorsatum*), raccoon (*Procyon lotor*), red fox (*Vulpes vulpes*), skunk (*Mephitis mephitis* and *Spilogale putorius*). Wolves (*Canis lupus*), wolf hybrids and/or wolf/dog hybrids may not be imported or sold.

(b) Live wildlife listed in this subsection (excluding any that are endangered or threatened), may be imported, possessed, confined and/or transported without securing a permit from the Department under this regulation as long as wildlife are held in compliance with appropriate Commission regulations and Wyoming Statutes. A certificate of veterinary inspection shall be issued prior to live wildlife listed in this subsection being imported into the State of Wyoming, unless otherwise specified in this regulation.

(i) It is a violation of this regulation to release or abandon any live wildlife listed in this subsection without prior written authorization from the Department, except as may be provided by Wyoming Statutes or other Commission regulations. All live wildlife

released and/or abandoned without written authorization from the Department may be taken by Department personnel.

(A) Amphibians. All amphibians, except that the importation and/or possession of the Manitoba toad (*Bufo hemiophrys*) is prohibited; certificate of veterinary inspection is not required.

(B) Birds

(I) Hawks or falcons, legally imported, possessed, confined and/or transported under terms of Wyoming Statute §23-2-105 and Wyoming Game and Fish Commission Regulations Chapter 25 or 25.1; certificate of veterinary inspection is not required,

(II) Game birds legally imported, possessed, confined and/or transported under terms of Wyoming Statute §23-5-102 and Wyoming Game and Fish Commission Regulations Chapter 40,

(C) Crustaceans and Mollusks. All crustaceans and mollusks, except that the importation and/or possession of the rusty crayfish (*Orconectes restitus*), New Zealand mudsnail (*Potamopyrgus antipodarum*) and/or the zebra mussel (*Dreisserla polymorpha*) is prohibited; all crustaceans and mollusks must be confined in aquariums; certificate of veterinary inspection is not required.

(D) Fish

(I) Fish imported, possessed, or transported under terms of Wyoming Statutes relating to private fish hatcheries (§23-4-101, §23-4-102, §23-4-103), private fishing preserves (§23-5-202, §23-5-203, §23-5-204), live bait dealers (§23-4-103), and landowner fishing lakes and ponds (§23-2-208) provided the fish are certified disease free as specified in Appendix I of this regulation and are of a species compatible with existing wildlife as determined by the Department. The fish must be accompanied by the appropriate authorization, receipt, or license as required by Commission regulation. (Refer to Commission Regulations, Chapters 46, 53),

(II) Goldfish (*Carassius auratus*); all goldfish must be confined in aquariums; certificate of veterinary inspection is not required,

(III) Marine fish; all marine fish must be confined in aquariums; certificate of veterinary inspection is not required,

(IV) Tropical fish; all tropical fish must be confined in aquariums; certificate of veterinary inspection is not required.

(E) Reptiles: all reptiles; certificate of veterinary inspection is not required.

(c) Importation/Possession Permit Required. The following live wildlife may be possessed without a permit if captured in the State of Wyoming, but shall not be imported prior to securing a permit under this regulation. A permit shall be required to take wildlife listed in this section for commercial use.

(i) All wildlife listed in Section 6 of the Wyoming Game and Fish Commission Nongame Wildlife Regulation (Chapter 52). However, mollusks (excluding zebra mussel, (*Dreissena polymorpha*), New Zealand mudsnail (*Potamopyrgus antipodarum*)), crustaceans (excluding rusty crayfish, (*Orconectes rusticus*)), reptiles and amphibians (excluding Manitoba toad, (*Bufo hemiophrys*)) may be imported without a permit.

(d) Wildlife Prohibited from Importation. The following wildlife may be possessed without a permit if captured in the State of Wyoming, but may not be imported into the state.

(i) Wolves (*Canis lupus*), wolf hybrids, and/or wolf/dog hybrids may not be imported or sold.

(e) Wildlife Prohibited from Importation/Possession.

(i) Wyoming Statute §23-1-103 states: "There shall be no private ownership of live animals classified in this act as big or trophy game animals". Big game animals are defined in Wyoming Statute §23-1-101(a)(i) as follows: antelope (pronghorn antelope, *Antilocapra americana*), bighorn sheep (Rocky Mountain bighorn sheep, *Ovis canadensis*), deer (mule deer, *Odocoileus hemionus* and white-tailed deer *Odocoileus virginianus*), elk (*Cervu elaphus nelsoni*), moose (*Alces alces*), or mountain goat (*Oreamnos americanus*). Trophy game animals are defined in Wyoming Statute §23-1-101(a)(xii) as follows: black bear (*Ursus americanus*), grizzly bear (*Ursus arctos*) or mountain lion (*Felis concolor*).

(ii) In addition, a permit shall not be issued for importation and/or possession of the following live wildlife in Wyoming: Section 5(a)(ii),

(A) All members of the family Suidae, except those exempt in Section 5(a)(ii),

(B) All members of the family Tayassuidae,

(C) All members of the subfamily Alcelaphinae, in Section 5(a)(ii),

(D) All members of the subfamily Caprinae, except those exempt in Section 5(a)(ii),

(E) All members of the family Cervidae, except as provided for under Section 12 of this regulation,

(F) Manitoba toad (*Bufo hemiophrys*),

(G) Monk parakeet (*Myiopsitta monachus*),

(H) Rusty crayfish (*Orconectes rusticus*),

(I) Zebra mussel (*Dreissena polymorpha*),

(J) New Zealand mudsnail (*Potamopyrgus antipodarum*)

(K) Red Wolf (*Canis rufus*).

(iii) The Wyoming Game and Fish Commission may consider an application for importation and/or possession of these animals listed in this subsection by governmental entities, or institutions of higher education for education and/or research, or to meet Department wildlife management goals, when a need is demonstrated by the applicant.