

House File 888 - Introduced

HOUSE FILE _____
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 712)
(SUCCESSOR TO HSB 169)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act regulating dangerous wild animals, including their
2 ownership and possession, requiring registration, providing
3 for fees and appropriations, and providing penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1622HZ 82
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1 1 Section 1. NEW SECTION. 717F.1 DEFINITIONS.
1 2 As used in this chapter, unless the context otherwise
1 3 requires:
1 4 1. "Agricultural animal" means the same as defined in
1 5 section 717A.1.
1 6 2. "Assistive animal" means the same as defined in section
1 7 216C.11.
1 8 3. a. "Circus" means a person who is all of the
1 9 following:
1 10 (1) The holder of a class "C" license issued by the United
1 11 States department of agriculture as provided in 9 C.F.R., pt.
1 12 2, subpt. A.
1 13 (2) Is temporarily in this state as an exhibitor as
1 14 defined in 9 C.F.R., pt. 1, for purposes of providing skilled
1 15 performances by dangerous wild animals, clowns, or acrobats
1 16 for public entertainment.
1 17 b. "Circus" does not include a person, regardless of
1 18 whether the person is a holder of a class "C" license as
1 19 provided in paragraph "a", who does any of the following:
1 20 (1) Keeps a dangerous wild animal which is a member of the
1 21 order carnivora within the family felidae or the family
1 22 ursidae, as described in this section.
1 23 (2) Uses the dangerous wild animal for any of the
1 24 following purposes:
1 25 (a) A presentation to children at a public or nonpublic
1 26 school as defined in section 280.2.
1 27 (b) Entertainment that involves an activity in which a
1 28 member of the public is in close proximity to the dangerous
1 29 wild animal, including but not limited to a contest or a
1 30 photographic opportunity.
1 31 4. "Custody" means to possess, control, keep, or harbor a
1 32 dangerous wild animal in this state by a public agency.
1 33 5. a. "Dangerous wild animal" means any of the following:
1 34 (1) A member of the family canidae of the order carnivora,
1 35 including but not limited to wolves, coyotes, and jackals.
2 1 However, a dangerous wild animal does not include a domestic
2 2 dog.
2 3 (2) A member of the family hyaenidae of the order of
2 4 carnivora, including but not limited to hyenas.
2 5 (3) A member of the family felidae of the order carnivora,
2 6 including but not limited to lions, tigers, cougars, leopards,
2 7 cheetahs, ocelots, and servals. However, a dangerous wild
2 8 animal does not include a domestic cat.
2 9 (4) A member of the family ursidae of the order carnivora,
2 10 including bears and pandas.
2 11 (5) A member of the family rhinocero tidae order
2 12 perissodactyla, which is a rhinoceros.
2 13 (6) A member of the order proboscidea, which are any
2 14 species of elephant.
2 15 (7) A member of the order of primates other than humans,
2 16 and including the following families: callitrichiadae,

2 17 cebidae, cercopithecidae, cheirogaleidae, daubentoniidae,
2 18 galagonidae, hominidae, hylobatidae, indridae, lemuridae,
2 19 loridae, megaladapidae, or tarsiidae. A member includes but
2 20 is not limited to marmosets, tamarins, monkeys, lemurs,
2 21 galagos, bushbabies, great apes, gibbons, lesser apes, indris,
2 22 sifakas, and tarsiers.

2 23 (8) A member of the order crocodilia, including but not
2 24 limited to alligators, caimans, crocodiles, and gharials.

2 25 (9) A member of the family varanidae of the order
2 26 squamata, which are limited to water monitors and crocodile
2 27 monitors.

2 28 (10) A member of the order squamata which is any of the
2 29 following:

2 30 (a) A member of the family varanidae, which are limited to
2 31 water monitors and crocodile monitors.

2 32 (b) A member of the family atractaspidae, including but
2 33 not limited to mole vipers and burrowing asps.

2 34 (c) A member of the family helodermatidae, including but
2 35 not limited to beaded lizards and gila monsters.

3 1 (d) A member of the family elapidae, voperidae,
3 2 crotalidae, atractaspidae, or hydrophidae which are venomous,
3 3 including but not limited to cobras, mambas, coral snakes,
3 4 kraits, adders, vipers, rattlesnakes, copperheads, pit vipers,
3 5 keelbacks, cottonmouths, and sea snakes.

3 6 (e) A member of the superfamily henophidia, which are
3 7 limited to reticulated pythons, anacondas, and African rock
3 8 pythons.

3 9 b. "Dangerous wild animal" includes an animal which is the
3 10 offspring of an animal provided in paragraph "a", and another
3 11 animal provided in that paragraph or any other animal. It
3 12 also includes animals which are the offspring of each
3 13 subsequent generation. However, a dangerous wild animal does
3 14 not include the offspring of a domestic dog and a wolf, or the
3 15 offspring from each subsequent generation in which at least
3 16 one parent is a domestic dog.

3 17 6. "Department" means the department of agriculture and
3 18 land stewardship.

3 19 7. "Electronic identification device" means a device which
3 20 when installed is designed to store information regarding an
3 21 animal or the animal's owner in a digital format which may be
3 22 accessed by a computer for purposes of reading or manipulating
3 23 the information.

3 24 8. "Possess" means to own, keep, or control a dangerous
3 25 wild animal, or supervise or provide for the care and feeding
3 26 of a dangerous wild animal, including any activity relating to
3 27 confining, handling, breeding, transporting, or exhibiting the
3 28 dangerous wild animal.

3 29 9. "Public agency" means the same as defined in section
3 30 28E.2.

3 31 10. "Wildlife sanctuary" means an organization exempt from
3 32 taxation pursuant to section 501(c) of the Internal Revenue
3 33 Code that operates a place of refuge where abused, neglected,
3 34 unwanted, impounded, abandoned, orphaned, or displaced
3 35 wildlife are provided care for their lifetime, if all of the
4 1 following apply:

4 2 a. The organization does not buy, sell, trade, auction,
4 3 lease, loan, or breed any animal of which the organization is
4 4 an owner.

4 5 b. The organization is accredited by the American
4 6 sanctuary association, the association of sanctuaries, or
4 7 another similar organization recognized by the department.

4 8 Sec. 2. NEW SECTION. 717F.2 RULEMAKING == CHAPTER 28E
4 9 AGREEMENTS == ASSISTANCE OF ANIMAL WARDEN.

4 10 1. The department shall administer this chapter by doing
4 11 all of the following:

4 12 a. Adopting rules as provided in chapter 17A for the
4 13 administration and enforcement of this chapter.

4 14 b. Entering into agreements with public agencies pursuant
4 15 to chapter 28E as the department determines necessary for the
4 16 administration and enforcement of this chapter.

4 17 2. An animal warden as defined in section 162.2 shall
4 18 assist the department in seizing and maintaining custody of
4 19 dangerous wild animals.

4 20 Sec. 3. NEW SECTION. 717F.3 DANGEROUS WILD ANIMALS ==
4 21 PROHIBITIONS.

4 22 Except as otherwise provided in this chapter, a person
4 23 shall not do any of the following:

4 24 1. Own or possess a dangerous wild animal.

4 25 2. Cause or allow a dangerous wild animal owned by a
4 26 person or in the person's possession to breed.

4 27 3. Transport a dangerous wild animal into this state.

4 28 Sec. 4. NEW SECTION. 717F.4 OWNING OR POSSESSING
4 29 DANGEROUS WILD ANIMALS ON THE EFFECTIVE DATE OF THIS ACT.
4 30 A person who owns or possesses a dangerous wild animal on
4 31 the effective date of this Act may continue to own or possess
4 32 the dangerous wild animal subject to all of the following:
4 33 1. The person must be eighteen years old or older.
4 34 2. a. The person must not have been convicted of an
4 35 offense involving the abuse or neglect of an animal pursuant
5 1 to a law of this state or another state, including but not
5 2 limited to chapter 717, 717B, 717C, or 717D or an ordinance
5 3 adopted by a city or county.
5 4 b. The department, another state, or the federal
5 5 government must not have suspended an application for a permit
5 6 or license or revoked a permit or license required to operate
5 7 a commercial establishment for the care, breeding, or sale of
5 8 animals, including as provided in chapter 162.
5 9 c. The person must not have been convicted of a felony for
5 10 an offense committed within the last ten years, as provided by
5 11 this Code, under the laws of another state, or under federal
5 12 law.
5 13 d. The person must not have been convicted of a
5 14 misdemeanor or felony for an offense committed within the last
5 15 ten years involving a controlled substance as defined in
5 16 section 124.101 in this state, under the laws of another
5 17 state, or under federal law.
5 18 3. Within sixty days after the effective date of this Act,
5 19 the person must have an electronic identification device
5 20 implanted beneath the skin or hide of the dangerous wild
5 21 animal, unless a licensed veterinarian states in writing that
5 22 the implantation would endanger the comfort or health of the
5 23 dangerous wild animal. In such case, an electronic
5 24 identification device may be otherwise attached to the
5 25 dangerous wild animal as required by the department.
5 26 4. Not later than December 31, 2007, the person must
5 27 notify the department using a registration form prepared by
5 28 the department. The registration form shall include all of
5 29 the following information:
5 30 a. The person's name, address, and telephone number.
5 31 b. A sworn affidavit that the person meets the
5 32 requirements necessary to own or possess a dangerous wild
5 33 animal as provided in this section.
5 34 c. A complete inventory of each dangerous wild animal
5 35 which the person owns or possesses. The inventory shall
6 1 include all of the following information:
6 2 (1) The number of the dangerous wild animals according to
6 3 species.
6 4 (2) The manufacturer and manufacturer's number of the
6 5 electronic device implanted in or attached to each dangerous
6 6 wild animal.
6 7 (3) The location where each dangerous wild animal is kept.
6 8 The person must notify the department in writing within ten
6 9 days of a change of address or location where the dangerous
6 10 wild animal is kept.
6 11 (4) The approximate age, sex, color, weight, scars, and
6 12 any distinguishing marks of each dangerous wild animal.
6 13 (5) The name, business mailing address, and business
6 14 telephone number of the licensed veterinarian who is
6 15 responsible for providing care to the dangerous wild animal.
6 16 The information shall include a statement signed by the
6 17 licensed veterinarian certifying that the dangerous wild
6 18 animal is in good health.
6 19 (6) A color photograph of the dangerous wild animal.
6 20 (7) A copy of a current liability insurance policy as
6 21 required in this section. The person shall send a copy of the
6 22 current liability policy to the department each year.
6 23 5. The person must pay the department a registration fee
6 24 as provided in section 717F.8.
6 25 6. The person must maintain health and ownership records
6 26 for the dangerous wild animal for the life of the dangerous
6 27 wild animal.
6 28 7. The person must confine the dangerous wild animal in a
6 29 primary enclosure as required by the department on the
6 30 person's premises. The person must not allow the dangerous
6 31 wild animal outside of the primary enclosure unless the
6 32 dangerous wild animal is moved pursuant to any of the
6 33 following:
6 34 a. To receive veterinary care from a licensed
6 35 veterinarian.
7 1 b. To comply with the directions of the department or an
7 2 animal warden.
7 3 c. To transfer ownership and possession of the dangerous

7 4 wild animal to a wildlife sanctuary or provide for its
7 5 destruction by euthanasia as required by the department.

7 6 8. The person must display at least one sign on the
7 7 person's premises where the dangerous wild animal is kept
7 8 warning the public that the dangerous wild animal is confined
7 9 there. The sign must include a symbol warning children of the
7 10 presence of the dangerous wild animal.

7 11 9. The person must immediately notify an animal warden or
7 12 other local law enforcement official of any escape of a
7 13 dangerous wild animal.

7 14 10. The person must maintain liability insurance coverage
7 15 in an amount of not less than one hundred thousand dollars
7 16 with a deductible of not more than two hundred fifty dollars,
7 17 for each occurrence of property damage, bodily injury, or
7 18 death caused by each dangerous wild animal kept by the person.

7 19 11. The person who owns or possesses the dangerous wild
7 20 animal is strictly liable for any damages, injury, or death
7 21 caused by the dangerous wild animal. The person must
7 22 reimburse the department or other public agency for actual
7 23 expenses incurred by capturing and maintaining custody of the
7 24 dangerous wild animal.

7 25 12. If the person is no longer able to care for the
7 26 dangerous wild animal, all of the following apply:

7 27 a. The person must so notify the department, stating the
7 28 planned disposition of the dangerous wild animal.

7 29 b. The person must dispose of the dangerous wild animal by
7 30 transferring ownership and possession to a wildlife sanctuary
7 31 or providing for its destruction by euthanasia as required by
7 32 the department.

7 33 Sec. 5. NEW SECTION. 717F.5 SEIZURE, CUSTODY, AND
7 34 DISPOSAL OF DANGEROUS WILD ANIMALS.

7 35 1. a. Except as provided in paragraph "b", the department
8 1 shall seize a dangerous wild animal which is in the possession
8 2 of a person if the person is not in compliance with the
8 3 requirements of this chapter.

8 4 b. Upon request, the department may provide that the
8 5 person retain possession of the dangerous wild animal for not
8 6 more than fourteen days, upon conditions required by the
8 7 department. During that period, the person shall take all
8 8 necessary actions to comply with this chapter. The department
8 9 shall inspect the premises where the dangerous wild animal is
8 10 kept during reasonable times to ensure that the person is
8 11 complying with the conditions.

8 12 2. If the person fails to comply with the conditions of
8 13 the department at any time or is not in compliance with this
8 14 chapter following the fourteen-day period, the department
8 15 shall seize the dangerous wild animal.

8 16 a. The dangerous wild animal shall be considered to be a
8 17 threatened animal which has been rescued as provided in
8 18 chapter 717B. The court may authorize the return of the
8 19 dangerous wild animal to the person from whom the dangerous
8 20 wild animal was seized if the court finds all of the
8 21 following:

8 22 (1) The person is capable of providing the care required
8 23 for the dangerous wild animal.

8 24 (2) There is a substantial likelihood that the person will
8 25 provide the care required for the dangerous wild animal.

8 26 (3) The dangerous wild animal has not been abused,
8 27 neglected, or tortured, as provided in chapter 717B.

8 28 b. If the court orders a permanent disposition of the
8 29 dangerous wild animal, the dangerous wild animal shall be
8 30 subject to disposition as provided in section 717B.4 and the
8 31 responsible party shall be assessed costs associated with its
8 32 seizure, custody, and disposition as provided in that section.
8 33 The department may find long-term placement for the dangerous
8 34 wild animal with a wildlife sanctuary or institution
8 35 accredited or certified by the American zoo and aquarium
9 1 association.

9 2 Sec. 6. NEW SECTION. 717F.6 CAUSE OF THE ESCAPE OF A
9 3 DANGEROUS WILD ANIMAL == PROHIBITION.

9 4 A person shall not intentionally cause a dangerous wild
9 5 animal to escape from its place of confinement, including as
9 6 provided in section 717F.4.

9 7 Sec. 7. NEW SECTION. 717F.7 EXEMPTIONS.

9 8 This chapter does not apply to any of the following:

9 9 1. An institution accredited or certified by the American
9 10 zoo and aquarium association.

9 11 2. A wildlife sanctuary.

9 12 3. A person who has been issued a falconry license by the
9 13 department of natural resources pursuant to section 483A.1.

9 14 4. A person who owns or possesses a dangerous wild animal

9 15 as an agricultural animal. The person shall not transfer the
9 16 dangerous wild animal to another person, unless the person to
9 17 whom the dangerous wild animal is transferred will own or
9 18 possess it as an agricultural animal or the person is a
9 19 wildlife sanctuary.

9 20 5. A person who owns or possesses a dangerous wild animal
9 21 as an assistive animal. The person shall not transfer the
9 22 dangerous wild animal to another person, unless the person to
9 23 whom the dangerous wild animal is transferred will own or
9 24 possess it as an assistive animal or the person is a wildlife
9 25 sanctuary.

9 26 6. A person who harvests the dangerous wild animal as a
9 27 hunter or trapper pursuant to state law and as regulated by
9 28 the department of natural resources.

9 29 7. A person who has been issued a wildlife rehabilitation
9 30 permit by the department of natural resources pursuant to
9 31 section 481A.65.

9 32 8. A circus that obtains a permit from a city in which it
9 33 will be temporarily operating, if the city issues permits.

9 34 9. A city.

9 35 10. A nonprofit corporation governed under chapter 504
10 1 that is an organization described in section 501(c)(3) of the
10 2 Internal Revenue Code and that is exempt from taxation under
10 3 section 501(a) of the Internal Revenue Code if the nonprofit
10 4 corporation was a party to a contract executed with a city
10 5 prior to the effective date of this Act to provide for the
10 6 exhibition of dangerous wild animals at a municipal zoo. The
10 7 nonprofit corporation shall not transfer the dangerous wild
10 8 animal to another person, unless the person to whom the
10 9 dangerous wild animal is transferred is a wildlife sanctuary.

10 10 11. The state fair as provided in chapter 173 or any fair
10 11 as provided in chapter 174.

10 12 12. A licensed or accredited facility where a dangerous
10 13 wild animal is kept for educational, medical, or scientific
10 14 purposes, including an institution as defined in section
10 15 145B.1 or a research facility as defined in section 162.2.

10 16 13. A location operated by a person licensed to practice
10 17 veterinary medicine pursuant to chapter 169.

10 18 14. A pound as defined in section 162.2.

10 19 15. An animal shelter as defined in section 162.2.

10 20 16. A county conservation board as provided in chapter
10 21 350.

10 22 17. An employee of the department responsible for the
10 23 administration of this chapter, an animal warden as defined in
10 24 section 162.2, or an animal care provider or law enforcement
10 25 officer as defined in section 717B.1.

10 26 18. A person temporarily transporting a dangerous wild
10 27 animal through this state if the transit time is not more than
10 28 ninety-six hours and the dangerous wild animal is maintained
10 29 within a confined area sufficient to prevent its escape or
10 30 injuring members of the traveling public.

10 31 19. A public agency which maintains permanent custody of a
10 32 dangerous wild animal, if the person to whom the public agency
10 33 assigns the duty to manage the custody of the dangerous wild
10 34 animal complies with the provisions of section 717F.4.

10 35 Sec. 8. NEW SECTION. 717F.8 DANGEROUS WILD ANIMAL
11 1 REGISTRATION FEES.

11 2 The department may charge a registration fee for each
11 3 dangerous wild animal owned or possessed by a person required
11 4 to be registered pursuant to section 717F.4.

11 5 1. The department shall collect an annual registration fee
11 6 which is an original registration fee or a renewal of an
11 7 original registration fee. The amount of the renewal
11 8 registration fee is one-half of the amount of the original
11 9 registration fee. Moneys collected in registration fees shall
11 10 be deposited in the dangerous wild animal registration fund
11 11 created in section 717F.9.

11 12 2. The amount of the original registration fees shall be
11 13 as follows:

11 14 a. Five hundred dollars for a member of the order
11 15 proboscidea, which are any species of elephant.

11 16 b. Five hundred dollars for a member of the family
11 17 rhinocero tidae order perissodactyla, which is a rhinoceros.

11 18 c. Three hundred dollars for a member of the family
11 19 ursidae of the order carnivora, which is limited to bears.

11 20 d. For a member of the family felidae of the order
11 21 carnivora, all of the following:

11 22 (1) Three hundred dollars for a member of the subfamily
11 23 pantherinae, limited to leopards other than snow leopards,
11 24 lions, and tigers; and for a member of the subfamily felinae
11 25 limited to pumas, jaguars, and cougars.

11 26 (2) Two hundred dollars for a member of the subfamily
11 27 felinae limited to bobcats, clouded leopards, cheetahs, and
11 28 lynx.

11 29 (3) One hundred dollars for a member of the subfamily
11 30 felinae limited to caracals, desert cats, Geoffroy's cats,
11 31 jungle cats, margays, ocelots, servals, and wild cats.

11 32 e. For a member of the order of primates other than
11 33 humans, all of the following:

11 34 (1) Three hundred dollars for a member commonly referred
11 35 to as an ape, belonging to the hylobatidae family such as
12 1 gibbons and siamangs, or to the pongidae family including
12 2 gorillas, orangutans, or chimpanzees.

12 3 (2) One hundred fifty dollars for a member commonly
12 4 referred to as an old world monkey, belonging to the family
12 5 cercopithecidae, including but not limited to macaques,
12 6 rhesus, mangabeys, mandrills, guenons, patas monkeys, langurs,
12 7 and proboscis monkeys.

12 8 (3) Fifty dollars for a member commonly referred to as a
12 9 new world monkey belonging to the family cebidae, including
12 10 but not limited to cebids, including capuchin monkeys,
12 11 howlers, woolly monkeys, squirrel monkeys, night monkeys,
12 12 titis, uakaris, or to the family callitrichidae, including but
12 13 not limited to marmosets and tamarins.

12 14 f. One hundred dollars for a member of the order
12 15 crocodilia, including but not limited to alligators, caimans,
12 16 crocodiles, and gharials.

12 17 g. Fifty dollars for a member of the family varanidae of
12 18 the order squamata, which are limited to water monitors and
12 19 crocodile monitors.

12 20 h. Fifty dollars for a member of the family atractaspidae,
12 21 including but not limited to mole vipers and burrowing asps.

12 22 i. Fifty dollars for a member of the family
12 23 helodermatidae, including but not limited to beaded lizards
12 24 and gila monsters.

12 25 j. Fifty dollars for a member of the family elapidae,
12 26 voperidae, crotalidae, atractaspidae, or hydrophidae which are
12 27 venomous, including but not limited to cobras, mambas, coral
12 28 snakes, kraits, adders, vipers, rattlesnakes, copperheads, pit
12 29 vipers, keelbacks, cottonmouths, and sea snakes.

12 30 k. One hundred dollars for a member of the superfamily
12 31 henophidia, which are limited to reticulated pythons,
12 32 anacondas, and African rock pythons.

12 33 Sec. 9. NEW SECTION. 717F.9 DANGEROUS WILD ANIMAL
12 34 REGISTRATION FUND.

12 35 1. A dangerous wild animal registration fund is created in
13 1 the state treasury under the control of the department. The
13 2 fund is composed of moneys appropriated by the general
13 3 assembly and moneys available to and obtained or accepted by
13 4 the department from the United States or private sources for
13 5 placement in the fund. The fund shall include moneys
13 6 deposited into the fund from registration fees collected by
13 7 the department pursuant to section 717F.8.

13 8 2. Moneys in the dangerous wild animal registration fund
13 9 are appropriated to the department exclusively to administer
13 10 and enforce the provisions of this chapter. The moneys shall
13 11 not be transferred, used, obligated, appropriated, or
13 12 otherwise encumbered except as provided in this subsection.

13 13 3. Section 8.33 shall not apply to moneys in the dangerous
13 14 wild animal registration fund. Notwithstanding section 12C.7,
13 15 moneys earned as income or interest from the fund shall remain
13 16 in the fund until expended as provided in this section.

13 17 Sec. 10. NEW SECTION. 717F.10 ENFORCEMENT.

13 18 The department is the principal agency charged with
13 19 enforcing the provisions of this chapter. An animal warden as
13 20 defined in section 162.2, or an animal care provider or law
13 21 enforcement officer as defined in section 717B.1, shall
13 22 enforce this chapter as directed by the department.

13 23 Sec. 11. NEW SECTION. 717F.11 CIVIL PENALTY.

13 24 A person owning or possessing a dangerous wild animal who
13 25 violates a provision of this chapter is subject to a civil
13 26 penalty of not less than two hundred dollars and not more than
13 27 two thousand dollars for each dangerous wild animal involved
13 28 in the violation. Each day that a violation continues shall
13 29 be considered as a separate offense. The civil penalties
13 30 shall be deposited into the general fund of the state.

13 31 Sec. 12. NEW SECTION. 717F.12 INJUNCTIVE RELIEF.

13 32 The courts of this state may prevent and restrain
13 33 violations of this chapter through the issuance of an
13 34 injunction. The attorney general or a county attorney shall
13 35 institute suits on behalf of the state to prevent and restrain
14 1 violations of this chapter.

14 2 Sec. 13. NEW SECTION. 717F.13 CRIMINAL PENALTIES.

14 3 A person who intentionally causes a dangerous wild animal
14 4 to escape in violation of this chapter is guilty of an
14 5 aggravated misdemeanor.

14 6 EXPLANATION

14 7 This bill creates new Code chapter 717F, which regulates
14 8 the possession of dangerous wild animals which are defined to
14 9 include wolves, coyotes, jackals, hyenas, lions, tigers,
14 10 cougars, leopards, cheetahs, ocelots, servals, bears, pandas,
14 11 rhinoceroses, elephants, primates other than humans,
14 12 alligators, crocodiles, water monitors, venomous snakes, and
14 13 certain constrictors (pythons and anacondas).

14 14 The department of agriculture and land stewardship is
14 15 charged to administer the bill's provisions, although the
14 16 department may execute Code chapter 28E agreements with other
14 17 government entities. The bill prohibits a person from owning
14 18 or possessing a dangerous wild animal, with certain
14 19 exceptions. It prohibits a person from breeding or
14 20 transporting a dangerous wild animal into this state.

14 21 The bill specifically allows a person to possess a
14 22 dangerous wild animal if the person has possession of the
14 23 dangerous wild animal on the effective date of the bill, but
14 24 subject to certain conditions. The person cannot have been
14 25 convicted of an offense relating to animal welfare and cannot
14 26 have recently been convicted of an offense relating to a
14 27 controlled substance or a felony. The person must attach or
14 28 install an electronic identification device to the dangerous
14 29 wild animal or beneath its skin or hide. The person must also
14 30 register the dangerous wild animal with the department. The
14 31 bill requires the person to pay a registration fee which is
14 32 deposited into a special fund controlled by the department.
14 33 The bill also provides that the person must confine the
14 34 dangerous wild animal according to a number of specifications
14 35 designed to secure it from the public. The person must
15 1 maintain liability insurance. The person is strictly liable
15 2 for damages or injuries resulting from the actions of the
15 3 dangerous wild animal.

15 4 The bill provides for the seizure, custody, and disposal of
15 5 dangerous wild animals which are kept in violation of the
15 6 bill's provisions. The department may allow the person in
15 7 possession of the dangerous wild animal to correct the
15 8 violation and keep the animal for 14 days but subject to
15 9 conditions established by the department. If the person fails
15 10 to comply with those conditions at any time or is not in
15 11 compliance with the bill's provisions following the 14-day
15 12 period, the department is required to seize the dangerous wild
15 13 animal. The dangerous wild animal is considered a threatened
15 14 animal in the same manner as provided in Code chapter 717B,
15 15 which authorizes the rescue of animals other than livestock.
15 16 It provides for notifying the owner of the dangerous wild
15 17 animal of the seizure, provides for a court hearing to
15 18 determine disposition, and requires that persons responsible
15 19 for the dangerous wild animal pay costs associated with its
15 20 custody and disposition. The bill provides that a court may
15 21 order the return of the dangerous wild animal if it determines
15 22 that the person is capable of providing for its care.

15 23 The bill exempts a number of persons and locations from the
15 24 requirements of the bill, including an accredited or certified
15 25 zoo, wildlife sanctuary, circus, fair, research facility,
15 26 licensed veterinarian, pound, animal shelter, a person keeping
15 27 the dangerous wild animal as an agricultural animal or as an
15 28 assistive animal, a person who hunts or traps a dangerous wild
15 29 animal, or a person transporting the dangerous wild animal
15 30 through the state.

15 31 The bill provides for the assessment of fees by persons
15 32 required to be registered by the department. The department
15 33 must assess different fees depending upon the type of
15 34 dangerous wild animal being kept, ranging from \$500 for
15 35 elephants to \$50 for small poisonous snakes.

16 1 A person who violates the bill's provisions is subject to a
16 2 civil penalty of not less than \$200 and not more than \$2,000
16 3 for each offense.

16 4 LSB 1622HZ 82

16 5 da:rj/je/5