

HB 1151-S.E - DIGEST

(AS OF HOUSE 2ND READING 1/18/06)

Provides that a person shall not own, possess, keep, harbor, bring into the state, or have custody or control of a potentially dangerous wild animal, except as provided in this act.

Declares that a person shall not breed a potentially dangerous wild animal.

Provides that a person in legal possession of a potentially dangerous wild animal prior to the effective date of this act and who is the legal possessor of the animal may keep possession of the animal for the remainder of the animal's life. The person must maintain veterinary records, acquisition papers for the animal, if available, or other documents or records that establish that the person possessed the animal prior to the effective date of this act. The person shall have the burden of proving that he or she possessed the animal prior to the effective date of this act.

Provides that the animal control authority or a law enforcement officer may immediately confiscate a potentially dangerous wild animal if: (1) The animal control authority or law enforcement officer has probable cause to believe that the animal was acquired after the effective date of this act in violation of this act; or

(2) The animal poses a public safety or health risk.

Authorizes a city or county to adopt an ordinance governing potentially dangerous wild animals that is more restrictive than this act. However, nothing in this act requires a city or county to adopt an ordinance to be in compliance with this act.

Provides that a person who violates section 4 of this act is liable for a civil penalty of not less than two hundred dollars and not more than two thousand dollars for each animal with respect to which there is a violation and for each day the violation continues.

Provides that the animal control authority and its staff and agents, local law enforcement agents, and county sheriffs are authorized and empowered to enforce the provisions of this act.

Provides that, if a locality does not have a local animal control authority, the department of fish and wildlife shall enforce the provisions of this act.