

Amendment No. 561

Senate Amendment to Senate Bill No. 245 (BDR 50-161)

Proposed by: Senate Committee on Natural Resources

Amendment Box: Replaces Amendment No. 462.

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

DLJ/JRS



Date: 4/22/2013

S.B. No. 245—Enacts provisions relating to the importation, possession, sale, transfer and breeding of dangerous wild animals. (BDR 50-161)



SENATE BILL NO. 245--SENATORS ROBERSON,
MANENDO; HAMMOND AND PARKS

MARCH 13, 2013

JOINT SPONSOR: ASSEMBLYMAN MUNFORD

Referred to Committee on Natural Resources

SUMMARY—Enacts provisions relating to ~~the importation, possession, sale, transfer and breeding of dangerous~~ captive wild animals. (BDR ~~50-161~~) 20-161

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to animals; ~~enacting provisions relating to the importation, possession, sale, transfer and breeding of dangerous wild animals;~~ authorizing ~~counties to enact certain ordinances regulating dangerous~~ a board of county commissioners to adopt an ordinance regulating the importation, possession, sale, transfer or breeding of captive wild animals; ~~providing penalties;~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~Existing law authorizes the Board of Wildlife Commissioners to adopt regulations to prohibit the importation, transportation and possession of any species of wildlife which the Commission determines is detrimental to the wildlife or habitat of wildlife in this State. (NRS 503.597) Pursuant to that authority, the Commission has adopted regulations governing the possession, transportation, importation, exportation and release of certain species of wildlife. (NAC 503.108-503.140, 504.464, 504.466.) Existing law ~~also~~ confers authority upon a board of county commissioners and a city council to enact certain restrictions and regulations on animals, including, for example, prohibiting cruelty to animals and fixing, imposing and collecting license fees. (NRS 244.359, 266.325) Existing law also requires any peace officer and certain officers of a society for the prevention of cruelty to animals to, upon discovering any animal which is being treated cruelly, take possession of the animal and provide it with shelter and care. (NRS 574.055) Section 7 of this bill makes it unlawful for a person to import, possess, sell, transfer or breed a dangerous wild animal unless the person meets one of several exemptions. Section 4 of this bill defines the term "dangerous wild animal." Sections 8-10 of this bill provide the exemptions from the prohibition and provide that certain zoos, circuses, research facilities, wildlife sanctuaries and animal shelters may import, possess, sell, transfer or breed a dangerous wild animal, as may veterinarians and certain law enforcement personnel~~

in carrying out their duties. Section 7 also makes it unlawful for a person to allow a dangerous wild animal to come in contact with a person who does not meet one of the exemptions. Section 11 of this bill allows a person who possesses a dangerous wild animal before July 1, 2012, to keep that animal if the person meets certain requirements. Section 12 of this bill authorizes an animal control agent to seize a dangerous wild animal if the agent believes the owner of the animal has violated certain provisions and requires the temporary placement of such an animal with certain animal shelters, zoos or wildlife sanctuaries. Section 12 of this bill provides for the forfeiture or voluntary relinquishment of a seized dangerous wild animal under certain circumstances, and section 14 of this bill provides for the disposition of a dangerous wild animal that is forfeited or relinquished. Section 15 of this bill provides the procedure whereby an entity given temporary custody of a dangerous wild animal pursuant to section 12 may petition a court to order the person from whom the animal was seized to post security in an amount determined to compensate the entity for the cost of caring for the animal.

Existing law makes it a misdemeanor for a person having the care or custody of any vicious or dangerous animal to allow it to go at large, and it is a category D felony if the animal kills a human being who is not in fault. (NRS 200.240, 575.020) Section 16 of this bill provides that it is unlawful to release from captivity or intentionally or negligently allow to escape from captivity a dangerous wild animal and that a violation of that provision is punishable as a gross misdemeanor. Section 16 further provides that a person who owns or possesses a dangerous wild animal that escapes or is released must report the escape or release immediately to the local animal control agency and is liable for all costs associated with efforts to recapture the animal.

Section 18 of this bill authorizes a **board of county commissioners** to adopt an ordinance to regulate the importation, possession, sale, transfer or breeding of **dangerous captive** wild animals, ~~as long as the ordinance does not conflict with or is otherwise consistent with certain provisions of this bill.~~ Section 19 of this bill provides that a violation of certain provisions of this bill regarding the importation, possession, sale, transfer or breeding of dangerous wild animals is punishable as a misdemeanor.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. ~~[Title 50 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 19, inclusive, of this act.]~~ **The Legislature finds and declares that the ownership of captive wild animals among persons in this State is a matter of public policy that needs to be addressed.**

Sec. 2. ~~[As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this act have the meanings ascribed to them in those sections.]~~ **(Deleted by amendment.)**

Sec. 3. ~~“Animal control agency” means any entity of a political subdivision authorized to enforce local ordinances and laws of this State related to the control of animals.]~~ **(Deleted by amendment.)**

Sec. 4. ~~“Dangerous wild animal” means any of the following live animals held in captivity:~~

- ~~1. All raccoons and other species from the family Procyonidae;~~
- ~~2. All snakes from the families Atractaspidae, Elapidae and Hydrophiidae;~~
- ~~3. All snakes from the family Viperidae, except a species of snake indigenous to this State;~~
- ~~4. All species of alligators, caimans, crocodiles and gharials;~~
- ~~5. All species of hyenas and aardvolves;~~
- ~~6. All species of primates, except humans;~~
- ~~7. All twig snakes from the genus Thelotornis;~~

~~8. American black bears (*Ursus americanus*) that have been bred in captivity.~~

~~9. Asiatic black bears (*Ursus thibetanus*).~~

~~10. Boomsnangs (*Dispholidus typus*).~~

~~11. Brown bears (*Ursus arctos*).~~

~~12. Cheetahs (*Acinonyx jubatus*), including hybrids thereof.~~

~~13. Clouded leopards (*Neofelis nebulosa* and *Neofelis diardi*), including hybrids thereof.~~

~~14. Giant panda bears (*Ailuropoda melanoleuca*).~~

~~15. Gray wolves (*Canis lupus*).~~

~~16. Jaguars (*Panthera onca*), including hybrids thereof.~~

~~17. Leopards (*Panthera pardus*), including hybrids thereof.~~

~~18. Lions (*Panthera leo*), including hybrids thereof.~~

~~19. Mountain lions (*Puma concolor*) that have been bred in captivity, including hybrids thereof.~~

~~20. Polar bears (*Ursus maritimus*).~~

~~21. Red wolves (*Canis rufus*) that have been bred in captivity.~~

~~22. Sloth bears (*Melursus ursinus*).~~

~~23. Snow leopards (*Panthera uncia*), including hybrids thereof.~~

~~24. Spectacled bears (*Tremarctos ornatus*), including hybrids thereof.~~

~~25. Sun bears (*Helarctos malayanus*).~~

~~26. Tigers (*Panthera tigris*), including hybrids thereof.} (Deleted by amendment.)~~

Sec. 5. ~~“Law enforcement officer” means:~~

~~1. Sheriffs of counties and metropolitan police departments and their deputies;~~

~~2. Personnel of the Department of Public Safety who have the powers of peace officers pursuant to NRS 289.270;~~

~~3. Police officers of cities and towns;~~

~~4. Officers of an animal control agency; and~~

~~5. Any person acting under the authority of NRS 574.040.} (Deleted by amendment.)~~

Sec. 6. ~~“Wildlife sanctuary” means a nonprofit entity that provides refuge and care to animals that have been, without limitation, abused, neglected, unwanted, impounded, abandoned, orphaned or displaced. The term does not include any such entity that:~~

~~1. Conducts any commercial activity or business for profit relating to dangerous wild animals, including, without limitation, the sale, trade, auction, lease or loan of dangerous wild animals or parts of such animals;~~

~~2. Uses dangerous wild animals for the purpose of entertainment or in a traveling exhibit;~~

~~3. Breeds dangerous wild animals; or~~

~~4. Except as otherwise provided in section 7 of this act, allows members of the public to come into direct contact with dangerous wild animals.} (Deleted by amendment.)~~

Sec. 7. ~~“1. Except as otherwise provided in sections 8 to 11, inclusive, of this act, it is unlawful for a person to import, possess, sell, transfer or breed a dangerous wild animal in this State.~~

~~2. It is unlawful for a person to allow a dangerous wild animal to come in direct contact with a person who is not exempt from subsection 1 pursuant to the provisions of sections 8 to 11, inclusive, of this act.} (Deleted by amendment.)~~

Sec. 8. ~~“The provisions of subsection 1 of section 7 of this act do not apply to”~~

~~1. An institution that is accredited by the Association of Zoos and Aquariums or its successor organization.~~

~~2. An institution that:~~

~~(a) Is actively seeking accreditation by the Association of Zoos and Aquariums or its successor organization; and~~

~~(b) Has a current letter of understanding with an accredited mentor institution.~~

~~3. A facility that is certified by the Association of Zoos and Aquariums, or its successor organization, as a certified related facility.~~

~~4. A facility that:~~

~~(a) Is actively seeking certification by the Association of Zoos and Aquariums or its successor organization; and~~

~~(b) Has a current letter of understanding with a mentor certified related facility.~~

~~5. A research facility, as defined in 7 U.S.C. § 2132.~~

~~6. A wildlife sanctuary.~~

~~7. A veterinarian licensed pursuant to chapter 638 of NRS for the purpose of providing treatment to a dangerous wild animal.~~

~~8. Law enforcement officers for the purpose of enforcing the laws of this State.~~

~~9. Game wardens and other agents and employees of the Department of Wildlife for the purpose of enforcing title 45 of NRS.~~

~~10. A person transporting a legally possessed dangerous wild animal through the State for not more than 48 hours if:~~

~~(a) The animal is not exhibited; and~~

~~(b) The animal is at all times while in the State kept in a cage or travel container that is appropriate to the species and the size of the animal and meets the requirements of 9 C.F.R. §§ 3.137 or 3.87, as applicable.~~

~~11. An animal shelter, as defined in NRS 574.240, which is temporarily housing a dangerous wild animal at the written request of an animal control agency or law enforcement officer.] (Deleted by amendment.)~~

~~Sec. 9. [The provisions of subsection 1 of section 7 of this act do not apply to a circus that:~~

~~1. Holds a class C exhibitor license pursuant to 9 C.F.R. § 1.1;~~

~~2. Conducts performances which include dangerous wild animals and human entertainers, including, without limitation, clowns and acrobats;~~

~~3. Performs in this State for less than 90 days in each calendar year; and~~

~~4. Does not allow members of the public to be in proximity to dangerous wild animals unless protective barriers which meet all applicable federal, state and local standards are provided to maintain safe distances between the members of the public and any dangerous wild animal.] (Deleted by amendment.)~~

~~Sec. 10. [1. The provisions of subsection 1 of section 7 of this act do not apply to a person who:~~

~~(a) Has an active contract regarding, without limitation, the possession, breeding or exhibition of dangerous wild animals with a resort hotel, as defined in NRS 462.01865;~~

~~(b) Holds a class C exhibitor license pursuant to 9 C.F.R. § 1.1;~~

~~(c) Has not:~~

~~(1) Had a license or permit relating to the care, possession, exhibition, propagation or sale of animals revoked or suspended by any federal, state or local governmental entity;~~

~~(2) Been cited within the immediately preceding 3 years by the United States Department of Agriculture for a violation of 9 C.F.R. Part 2 or Part 3 in which the health or well-being of a dangerous wild animal was jeopardized; and~~

~~(3) Been convicted of or fined by any federal, state or local governmental entity for an offense involving the abuse or neglect of an animal;~~

~~(d) Does not:~~

~~(1) Employ a person who has been convicted of or fined by any federal, state or local governmental entity for an offense involving the abuse or neglect of an animal;~~

~~(2) Breed or sell any dangerous wild animals, except as provided for in a contract pursuant to paragraph (a); and~~

~~(3) Allow members of the public to be in proximity to dangerous wild animals unless protective barriers which meet all applicable federal, state and local standards are provided to maintain safe distances between the members of the public and any dangerous wild animal; and~~

~~(e) Has:~~

~~(1) Liability insurance in an amount not less than \$250,000 per occurrence, with a deductible of not more than \$250, covering property damage or bodily injury or death caused by any dangerous wild animals that the person possesses; and~~

~~(2) Documentation to verify that the person and all employees of the person who are involved in animal care have 300 hours or more of substantial practical experience in the care, feeding, handling and husbandry of the dangerous wild animals possessed by the person, or of other species which are substantially similar in size, characteristics, care and nutritional requirements to the dangerous wild animals possessed by the person.~~

~~2. The provisions of subsections 1 and 2 of section 7 of this act do not apply to a resort hotel, as defined in NRS 463.01865, that possesses dangerous wild animals and meets the requirements of paragraphs (b), (c) and (e) of subsection 1.~~

~~3. Upon adoption of an ordinance pursuant to section 18 of this act by the county in which the applicable resort hotel is located, a person who possesses, breeds or exhibits dangerous wild animals pursuant to subsection 1 shall file annually with the local animal control agency having jurisdiction over the location of the resort hotel with which the person has a contract pursuant to paragraph (a) of subsection 1:~~

~~(a) A written plan for the quick and safe recapture or destruction of a dangerous wild animal that has escaped from captivity, including, without limitation, protocols for training employees of the person and the staff of the resort hotel concerning methods of safe recapture;~~

~~(b) A list of all dangerous wild animals which are acquired or disposed of by the person during the year; and~~

~~(c) A copy of the written contract the person has with the resort hotel pursuant to paragraph (a) of subsection 1.~~

~~4. The provisions of subsection 1 of section 7 of this act do not apply to a person who, before January 1, 2013:~~

~~(a) Had an active written contract for at least the immediately preceding 2 years that meets the requirements of paragraph (a) of subsection 1; and~~

~~(b) Was in compliance with paragraphs (b) to (c), inclusive, of subsection 1.~~

~~(Deleted by amendment.)~~

Sec. 11. ~~[The provisions of subsection 1 of section 7 of this act do not apply to a person who does not meet the requirements of section 8, 9 or 10 of this act~~

~~but who lawfully possessed a dangerous wild animal before July 1, 2013, if that person:~~

~~1. Has not:~~

~~(a) Been convicted of or fined by any federal, state or local governmental entity for an offense involving the abuse or neglect of an animal; and~~

~~(b) Had a license or permit relating to the care, possession, exhibition, propagation or sale of animals revoked or suspended by any federal, state or local governmental entity;~~

~~2. Does not acquire any additional dangerous wild animals through purchase, donation or breeding on or after July 1, 2013, except in compliance with section 8, 9 or 10 of this act;~~

~~3. If selling or transferring a dangerous wild animal to another person:~~

~~(a) Notifies the animal control agency with jurisdiction over the premises where the dangerous wild animal is located in writing not less than 72 hours before the sale or transfer of the name and address of the recipient of the dangerous wild animal; and~~

~~(b) Complies with all applicable local, state and federal laws;~~

~~4. Maintains all veterinary records and any documents evidencing the acquisition of the dangerous wild animal to establish that the person possessed the dangerous wild animal before July 1, 2013;~~

~~5. Maintains liability insurance in an amount not less than \$250,000 per occurrence, with a deductible of not more than \$250, covering property damage or bodily injury or death caused by any dangerous wild animals that the person possesses;~~

~~6. Notifies the local animal control agency with jurisdiction over the premises where the dangerous wild animal is located of the number and species of dangerous wild animals possessed and allows the local animal control agency to enter and inspect the premises where the dangerous wild animal is kept; and~~

~~7. Pursuant to an ordinance adopted pursuant to section 18 of this act by the county having jurisdiction over the location where the dangerous wild animal is kept, register with the county, if required, and pay any applicable fee to the county.~~ (Deleted by amendment.)

~~Sec. 12. {1. An animal control agency may seize a dangerous wild animal if the agency has probable cause to believe that the person who owns or possesses the dangerous wild animal has violated any provision of sections 7 to 11, inclusive, of this act or any ordinance adopted pursuant to section 18 of this act by the county having jurisdiction over the location where the dangerous wild animal is kept.~~

~~2. Except as otherwise provided in subsection 3, a dangerous wild animal seized pursuant to this section must be placed in the temporary custody of:~~

~~(a) An animal shelter, as defined in NRS 574.240;~~

~~(b) An institution that is accredited by the Association of Zoos and Aquariums or its successor organization; or~~

~~(c) A wildlife sanctuary.~~

~~3. An animal control agency may, if placement with an entity specified in subsection 2 is not immediately available, impound a dangerous wild animal seized pursuant to subsection 1 on the property of the person who owns or possesses the animal until such a placement becomes available.~~ (Deleted by amendment.)

~~Sec. 13. {1. If a person from whom a dangerous wild animal is seized pursuant to section 12 of this act is convicted of or pleads guilty to a violation of a provision of sections 7 to 11, inclusive, of this act or any ordinance adopted pursuant to section 18 of this act by the county having jurisdiction over the~~

~~location where the dangerous wild animal was kept, the court may order the animal forfeited by the person.~~

~~2. A person from whom a dangerous wild animal is seized pursuant to section 12 of this act may voluntarily relinquish the animal. A person who voluntarily relinquishes a dangerous wild animal pursuant to this section remains subject to the imposition of any penalties for a violation of a provision of sections 7 to 11, inclusive, of this act.~~ (Deleted by amendment.)

Sec. 14. ~~{1. A dangerous wild animal voluntarily relinquished pursuant to section 12 of this act or forfeited pursuant to subsection 4 of section 15 of this act must be placed in the custody of:~~

~~(a) An institution that is accredited by the Association of Zoos and Aquariums or its successor organization; or~~

~~(b) A wildlife sanctuary.~~

~~2. If placement of a dangerous wild animal pursuant to subsection 1 is not possible after reasonable efforts by an animal control agency to make such a placement, the animal may be humanely euthanized by an animal control agency in compliance with all applicable local, state and federal laws.~~ (Deleted by amendment.)

Sec. 15. ~~{1. An entity with whom a dangerous wild animal is placed temporarily pursuant to subsection 2 of section 12 of this act may file a petition in any court of competent jurisdiction to request that the person from whom the animal was seized be ordered to post security adequate to ensure full payment of all reasonable costs incurred in caring for the animal during the pendency of any proceedings regarding the disposition of the animal that was seized.~~

~~2. A petitioner who files a petition pursuant to subsection 1 must serve a copy of the petition on the person from whom the dangerous wild animal was seized and the animal control agent who seized the animal, if other than the petitioner.~~

~~3. A court shall set a hearing on a petition filed pursuant to subsection 1 to be held within 5 business days after service of the petition pursuant to subsection 2. At the hearing, the court may determine whether any additional interested parties must be served with the petition. If the court determines that additional parties must be served with the petition, the hearing must be continued to provide time for the petitioner to serve the interested parties with the petition and for the interested parties to respond to the petition.~~

~~4. If a court orders the posting of security pursuant to a hearing on a petition, the court may require the entire amount of the security to be posted within 5 business days after the issuance of the order or may allow the person from whom the dangerous wild animal was seized to make installment payments of the total amount ordered. If the security is not paid as ordered by the court, the animal shall be forfeited and the animal control agency that seized the animal shall proceed pursuant to section 14 of this act.~~

~~5. Upon resolution of the proceedings regarding the disposition of the dangerous wild animal that was seized, the person having custody of the animal must refund to the person who posted the security any of the security remaining.~~ (Deleted by amendment.)

Sec. 16. ~~{1. It is unlawful to release a dangerous wild animal from captivity or to intentionally or negligently allow it to escape from captivity.~~

~~2. If a dangerous wild animal is released or escapes from captivity:~~

~~(a) The owner or possessor of the dangerous wild animal:~~

~~(1) Shall, immediately after receiving knowledge of the release or escape, report the release or escape to the animal control agency having jurisdiction over the location of the release or escape;~~

~~(2) Is liable for all:~~

~~(I) Costs incurred by an animal control agency or a law enforcement agency as a result of the release or escape; and~~

~~(II) Other costs associated with efforts to recapture the animal.~~

~~(b) The animal may be captured, seized or destroyed by an employee of the animal control agency or a law enforcement officer if a determination is made that such actions are necessary to protect any life, property or other animals in this State.~~

~~3. Except as otherwise provided in NRS 200.240, a person who is convicted of a violation of subsection 1 is guilty of a gross misdemeanor.~~

~~4. A person who is convicted of a violation of subsection 2 is guilty of a misdemeanor.~~ (Deleted by amendment.)

Sec. 17. ~~[The provisions of this chapter do not apply to the extent that they conflict or are otherwise inconsistent with the provisions of chapter 574 of NRS.]~~ (Deleted by amendment.)

Sec. 18. Chapter 244 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, a board of county commissioners may adopt an ordinance as provided in chapter 244 of NRS to regulate the importation, possession, sale, transfer or breeding of dangerous captive wild animals, if the ordinance does not conflict with the provisions of this chapter.

2. An ordinance adopted pursuant to subsection 1:

~~(a) May~~ may provide for, without limitation, reasonable and necessary fees, registration requirements, humane care standards for ~~dangerous~~ captive wild animals and ~~expansion off the definition of dangerous~~ "captive wild animal." ~~set forth in section 4 of this act; and~~

~~(b) May not alter or amend the provisions of section 10 of this act.~~

Sec. 19. ~~[A person who violates any provision of sections 7 to 11, inclusive, of this act, is guilty of a misdemeanor.]~~ (Deleted by amendment.)

Sec. 20. NRS 571.210 is hereby amended to read as follows:

~~571.210 1. Except as otherwise provided in this section, sections 2 to 19, inclusive, of this act, and any ordinance adopted by a county pursuant to section 18 of this act, a person, or the person's agent or employee may bring into this State any animal not under special quarantine by the State of Nevada, the Federal Government, or the state, territory or district of origin in compliance with regulations adopted by the State Quarantine Officer.~~

~~2. Notice that an animal is in transit is not required unless the animal remains in this State, or is to be unloaded in this State to feed and rest for longer than 48 hours.~~

~~3. A person, or the person's agent or employee shall not bring any animal into this State unless he or she has obtained a health certificate showing that the animal is free from contagious, infectious or parasitic diseases or exposure thereto. This requirement does not apply to any animal whose accustomed range is on both sides of the Nevada state line and which is being moved from one portion to another of the accustomed range merely for pasturing and grazing thereon. The State Quarantine Officer shall adopt regulations concerning the form of the certificate.~~

~~4. A person, or the person's agent or employee shall not:~~

~~(a) Alter a health certificate; or~~

~~(b) Divert any animal from the destination described on the health certificate without notifying the State Quarantine Officer within 72 hours after the diversion of the animal.~~

~~5. To protect this State from the effects of chronic wasting disease, a person, or the person's agent or employee shall not bring into this State any live:~~

~~(a) Rocky Mountain elk (*Cervus elaphus nelsoni*);~~

~~(b) Mule deer (*Odocoileus hemionus*);~~

~~(c) White tailed deer (*Odocoileus virginianus*); or~~

~~(d) Other animal that the State Quarantine Officer has, by regulation, declared to be susceptible to chronic wasting disease and prohibited from importation into this State.~~

~~6. Any animal brought into this State in violation of this section may be seized, destroyed or sent out of this State by the State Quarantine Officer within 48 hours. The expense of seizing, destroying or removing the animal must be paid by the owner or the owner's agent in charge of the animal and the expense is a lien on the animal, unless it was destroyed, until paid. (Deleted by amendment.)~~

Sec. 21. ~~[NRS 574.615 is hereby amended to read as follows:~~

~~574.615 1. "Pet" means an animal that is kept by a person primarily for personal enjoyment.~~

~~2. The term does not include [an]:~~

~~(a) An animal that is kept by a person primarily for:~~

~~[(a)] (1) Hunting;~~

~~[(b)] (2) Use in connection with farming or agriculture;~~

~~[(c)] (3) Breeding;~~

~~[(d)] (4) Drawing heavy loads; or~~

~~[(e)] (5) Use as a service animal or a service animal in training, as those terms are defined in NRS 426.097 and 426.099, respectively [.] ; or~~

~~(b) A dangerous wild animal, as defined in section 4 of this act. (Deleted by amendment.)~~

Sec. 22. ~~[NRS 575.020 is hereby amended to read as follows:~~

~~575.020 1. [Every] Except as otherwise provided in section 16 of this act, every person having the care or custody of any animal known to possess any vicious or dangerous tendencies, who allows it to escape or run at large in any place or manner liable to endanger the safety of any person, is guilty of a misdemeanor.~~

~~2. Any person may lawfully and without liability for damages kill such an animal when reasonably necessary to protect his or her own safety or the public safety, or if the animal chases, worries, injures or kills the person's livestock on the land of any person other than that of the owner of the animal.~~

~~3. Every person having the care or custody of an animal which chases, worries, injures or kills the livestock of another on land other than his or her own is liable to the owner of the livestock for damage to it.~~

~~4. As used in this section, "livestock" means all animals of the bovine, caprine, equine, ovine and porcine species, and all domesticated fowl and rabbits. (Deleted by amendment.)~~

Sec. 23. ~~[NRS 244.359 is hereby amended to read as follows:~~

~~244.359 1. Each board of county commissioners may enact and enforce an ordinance or ordinances:~~

~~(a) Fixing, imposing and collecting an annual license fee on dogs and providing for the capture and disposal of all dogs on which the license fee is not paid;~~

~~(b) Regulating or prohibiting the running at large and disposal of all kinds of animals.~~

~~(c) Establishing a pound, appointing a poundkeeper and prescribing the poundkeeper's duties.~~

~~(d) Prohibiting cruelty to animals.~~

~~(c) Designating an animal as inherently dangerous and requiring the owner of such an animal to obtain a policy of liability insurance for the animal in an amount determined by the board of county commissioners.~~

~~2. Any ordinance or ordinances enacted pursuant to the provisions of paragraphs (a) and (b) of subsection 1 may apply throughout an entire county or govern only a limited area within the county which shall be specified in the ordinance or ordinances.~~

~~3. Except as otherwise provided in this subsection, a board of county commissioners may by ordinance provide that the violation of a particular ordinance enacted pursuant to this section imposes a civil liability to the county in an amount not to exceed \$500, instead of a criminal penalty. An ordinance enacted pursuant to this section that creates an offense relating to bites of animals, vicious or dangerous animals, horse tripping or cruelty to animals must impose a criminal penalty for the offense. As used in this subsection, "horse tripping" does not include tripping a horse to provide medical or other health care for the horse.~~

~~4. The provisions of this section apply only to the extent that they do not conflict with sections 2 to 19, inclusive, of this act. (Deleted by amendment.)~~

Sec. 24. [NRS 266.325 is hereby amended to read as follows:

~~266.325 1. The city council may:~~

~~[1.] (a) Fix, impose and collect an annual license fee on all animals and provide for the capture and disposal of all animals on which the license fee is not paid.~~

~~[2.] (b) Regulate or prohibit the running at large and disposal of all kinds of animals and poultry.~~

~~[3.] (c) Establish a pound, appoint a poundkeeper and prescribe the poundkeeper's duties.~~

~~[4.] (d) Prohibit cruelty to animals.~~

~~2. The provisions of this section apply only to the extent that they do not conflict with sections 2 to 19, inclusive, of this act. (Deleted by amendment.)~~

Sec. 25. [NRS 278.0177 is hereby amended to read as follows:

~~278.0177 1. "Rural preservation neighborhood" means a subdivided or developed area:~~

~~[1.] (a) Which consists of 10 or more residential dwelling units;~~

~~[2.] (b) Where the outer boundary of each lot that is used for residential purposes is not more than 330 feet from the outer boundary of any other lot that is used for residential purposes;~~

~~[3.] (c) Which has no more than two residential dwelling units per acre; and~~

~~[4.] (d) Which allows residents to raise or keep animals noncommercially.~~

~~2. As used in this section, the term "animal" does not include a dangerous wild animal as defined in section 4 of this act. (Deleted by amendment.)~~

Sec. 26. [NRS 501.379 is hereby amended to read as follows:

~~501.379 1. Except as otherwise provided in this section [.] and section 7 of this act:~~

~~(a) It is unlawful for any person to sell or expose for sale, to barter, trade or purchase or to attempt to sell, barter, trade or purchase any species of wildlife, or parts thereof, except as otherwise provided in this title or in a regulation of the Commission.~~

~~(b) The importation and sale of products made from the meat of game mammals, game birds or game amphibians raised in captivity is not prohibited if the importation is from a licensed commercial breeder or commercial processor.~~

~~2. The provisions of this section do not apply to alternative livestock and products made therefrom. (Deleted by amendment.)~~

1 **Sec. 27.** ~~[NRS 502.590 is hereby amended to read as follows:~~
2 ~~502.590 1. Except as otherwise provided in this section [.] and section 7 of~~
3 ~~this act, a person may maintain a noncommercial collection of legally obtained live~~
4 ~~wildlife if:~~

5 ~~(a) Such a collection is not maintained for public display nor as a part of or~~
6 ~~adjunct to any commercial establishment; and~~

7 ~~(b) The wildlife contained in such a collection is of a species which may be~~
8 ~~possessed in accordance with regulations adopted by the Commission pursuant to~~
9 ~~subsection 2 of NRS 504.295.~~

10 ~~2. The Commission may adopt reasonable regulations establishing minimum~~
11 ~~standards for the fencing or containment of any collection of wildlife.~~

12 ~~3. The provisions of this section do not apply to alternative livestock and~~
13 ~~products made therefrom.] (Deleted by amendment.)~~

14 **Sec. 28.** ~~[NRS 503.597 is hereby amended to read as follows:~~

15 ~~503.597 1. Except as otherwise provided in this section [.] and section 7 of~~
16 ~~this act, it is unlawful, except by the written consent and approval of the~~
17 ~~Department, for any person at anytime to receive, bring or have brought or shipped~~
18 ~~into this State, or remove from one stream or body of water in this State to any~~
19 ~~other, or from one portion of the State to any other, or to any other state, any~~
20 ~~aquatic life or wildlife, or any spawn, eggs or young of any of them.~~

21 ~~2. The Department shall require an applicant to conduct an investigation to~~
22 ~~confirm that such an introduction or removal will not be detrimental to the wildlife~~
23 ~~or the habitat of wildlife in this State. Written consent and approval of the~~
24 ~~Department may be given only if the results of the investigation prove that the~~
25 ~~introduction, removal or importation will not be detrimental to existing aquatic life~~
26 ~~or wildlife, or any spawn, eggs or young of any of them.~~

27 ~~3. The Commission may through appropriate regulation provide for the~~
28 ~~inspection of such introduced or removed creatures and the inspection fees therefor.~~

29 ~~4. [The] Except as otherwise provided in section 7 of this act, the~~
30 ~~Commission may adopt regulations to prohibit the importation, transportation or~~
31 ~~possession of any species of wildlife which the Commission deems to be~~
32 ~~detrimental to the wildlife or the habitat of the wildlife in this State.~~

33 ~~5. [A] Except as otherwise provided in sections 7 and 16 of this act, a person~~
34 ~~who knowingly or intentionally introduces, causes to be introduced or attempts to~~
35 ~~introduce an aquatic invasive species or injurious aquatic species into any waters of~~
36 ~~this State is guilty of:~~

37 ~~(a) For a first offense, a misdemeanor; and~~

38 ~~(b) For any subsequent offense, a category E felony and shall be punished as~~
39 ~~provided in NRS 193.130.~~

40 ~~6. A court before whom a defendant is convicted of a violation of subsection~~
41 ~~5 shall, for each violation, order the defendant to pay a civil penalty of at least~~
42 ~~\$25,000 but not more than \$250,000. The money must be deposited into the~~
43 ~~Wildlife Fund Account in the State General Fund and used to:~~

44 ~~(a) Remove the aquatic invasive species or injurious aquatic species;~~

45 ~~(b) Reintroduce any game fish or other aquatic wildlife destroyed by the~~
46 ~~aquatic invasive species or injurious aquatic species;~~

47 ~~(c) Restore any habitat destroyed by the aquatic invasive species or injurious~~
48 ~~aquatic species;~~

49 ~~(d) Repair any other damage done to the waters of this State by the~~
50 ~~introduction of the aquatic invasive species or injurious aquatic species; and~~

51 ~~(e) Defray any other costs incurred by the Department because of the~~
52 ~~introduction of the aquatic invasive species or injurious aquatic species.~~

53 ~~7. The provisions of this section do not apply to:~~

~~(a) Alternative livestock and products made therefrom; or~~
~~(b) The introduction of any species by the Department for sport fishing or other wildlife management programs.~~

~~8. As used in this section:~~

~~(a) "Aquatic invasive species" means an aquatic species which is exotic or not native to this State and which the Commission has determined to be detrimental to aquatic life, water resources or infrastructure for providing water in this State.~~

~~(b) "Injurious aquatic species" means an aquatic species which the Commission has determined to be a threat to sensitive, threatened or endangered aquatic species or game fish or to the habitat of sensitive, threatened or endangered aquatic species or game fish by any means, including, without limitation:~~

~~(1) Predation;~~

~~(2) Parasitism;~~

~~(3) Interbreeding; or~~

~~(4) The transmission of disease. (Deleted by amendment.)~~

Sec. 29. ~~NRS 504.295 is hereby amended to read as follows:~~

~~504.295 1. Except as otherwise provided in this section and NRS 502.590, and sections 7 and 16 of this act, or unless otherwise specified by a regulation adopted by the Commission, no person may:~~

~~(a) Possess any live wildlife unless the person is licensed by the Department to do so.~~

~~(b) Capture live wildlife in this State to stock a commercial or noncommercial wildlife facility.~~

~~(c) Possess or release from confinement any mammal for the purposes of hunting.~~

~~2. [The] Except as otherwise provided in section 7 of this act, the Commission shall adopt regulations for the possession of live wildlife. The regulations must set forth the species of wildlife which may be possessed and propagated, and provide for the inspection by the Department of any related facilities.~~

~~3. [In] Except as otherwise provided in section 7 of this act, in accordance with the regulations of the Commission, the Department may issue commercial and noncommercial licenses for the possession of live wildlife upon receipt of the applicable fee.~~

~~4. The provisions of this section do not apply to alternative livestock and products made therefrom. (Deleted by amendment.)~~

Sec. 30. This act becomes effective on July 1, 2013.