

HOUSE BILL NO. 4186

February 09, 2021, Introduced by Rep. Albert and referred to the Committee on Agriculture.

A bill to amend 2000 PA 274, entitled
"Large carnivore act,"
by amending section 22 (MCL 287.1122), as amended by 2018 PA 610.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

3 (a) A person ~~who~~**that** is licensed or approved by the
4 department of natural resources ~~of this state~~ or by the United
5 States Fish and Wildlife Service of the United States Department of

1 the Interior. This subdivision does not apply to a person in
2 possession of 1 or more black bears under the authority of a permit
3 to hold wildlife in captivity issued by the department of natural
4 resources.

5 (b) A law enforcement officer acting under the authority of
6 this act.

7 (c) A veterinarian temporarily in possession of a large
8 carnivore to provide veterinary care for or humanely euthanize the
9 large carnivore.

10 (2) Sections 4, 5, 6(1)(d) to (5)(d), 8, and 14(3) do not
11 apply to ~~a person~~ **an individual** who is not a resident of this state
12 and who is in this state only for the purpose of travel between
13 locations outside of this state.

14 (3) Sections 4, 5, 6(1)(d) to (5)(d), and 14(3) do not apply
15 to an animal control shelter or animal protection shelter in
16 possession of a large carnivore to provide humane euthanasia or
17 export the large carnivore to another state under section 8.

18 (4) Sections 4, 6(1)(d) to (5)(d), 8, and 14(3) do not apply
19 to a person ~~who resides in this state and~~ **that** meets all of the
20 following requirements:

21 (a) Is conducting a for-profit or nonprofit business, if the
22 primary purpose of that business is the presentation of animals
23 including large carnivores to the public for education or
24 exhibition purposes.

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

27 (c) Meets or exceeds all standards required of a class C
28 licensee under 9 CFR parts 1 and 2, including, but not limited to,
29 standards for training, housing, care, and transport of large

1 carnivores. If the United States Department of Agriculture has,
2 within the last 5 years, confiscated an animal of, or issued a
3 finally determined direct or critical noncompliance to or a civil
4 penalty, including a cease and desist order, a monetary penalty, or
5 a license suspension or revocation against, a class C licensee,
6 that class C licensee does not meet the requirement under this
7 subdivision.

8 (d) Except as provided in subsection (5), does not allow a
9 patron to do either of the following:

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

11 (ii) Come into close enough contact with a large carnivore over
12 20 weeks of age so as to place the patron in jeopardy of being
13 harmed by the large carnivore.

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

16 (f) Does not breed large carnivores.

17 (5) A person ~~who~~**that** otherwise meets the requirements under
18 subsection (4) may allow a patron to come into contact with a large
19 carnivore if the large carnivore is a bear less than 36 weeks of
20 age or a bear weighing 90 pounds or less if the person satisfies 1
21 of the following:

22 (a) The person was in possession of a bear on March 26, 2013.

23 (b) The person acquired a business described in subsection (4)
24 from a person ~~who~~**that** was in possession of a bear on March 26,
25 2013.

26 (6) Notwithstanding any law to the contrary, a person ~~who~~**that**
27 meets the requirements of subsection (5) may breed not more than 4
28 black bear sows per year if the person satisfies all of the
29 following conditions:

1 (a) The person does not transfer a large carnivore to any of
2 the following:

3 (i) A person that is not qualified or capable, as determined by
4 the department, of safely maintaining the large carnivore or
5 ensuring its well-being.

6 (ii) An animal auction or a person that may display or sell the
7 large carnivore at an animal auction.

8 (iii) A person that allows the hunting of large carnivores.

9 (b) The person does not raise a large carnivore for the
10 purpose of providing food, fur, pelts, body parts, organs, or
11 bodily fluids, or transfer a large carnivore to a person that will
12 use the large carnivore for any of those purposes.

13 (c) The person does not perform disfiguring procedures,
14 including, but not limited to, declawing or canine tooth removal,
15 unless considered medically necessary by a ~~licensed~~ veterinarian.

16 (7) Sections 3(b), 4, 5, 6(1)(d) to (5)(d), and 14(3) do not
17 apply to a person ~~who~~**that** holds a valid breeding license under
18 section 22b.