

HOUSE BILL No. 6050

May 17, 2018, Introduced by Rep. Lauwers 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 2013 PA 8.

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) An animal control shelter or animal protection shelter.

4 (b) A person licensed or approved by the department of natural
5 resources of this state or by the United States ~~fish~~**FISH** and
6 ~~wildlife service~~**WILDLIFE SERVICE** of the United States ~~department~~
7 **DEPARTMENT** of the ~~interior~~**INTERIOR**. This subdivision does not
8 apply to a person in possession of 1 or more black bears under the
9 authority of a permit to hold wildlife in captivity issued by the
10 department of natural resources.

1 (c) A zoological park approved or accredited by the American
2 ~~zoo~~**ZOO** and ~~aquarium association~~**AQUARIUM ASSOCIATION**.

3 (d) A person approved by the ~~association~~**ASSOCIATION** of
4 ~~sanctuaries~~**SANCTUARIES** or the American ~~sanctuary~~
5 ~~association~~**SANCTUARY ASSOCIATION**.

6 (e) A law enforcement officer acting under the authority of
7 this act.

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

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

15 (3) Subject to subsection (2), this act does not apply to a
16 person who meets all of the following requirements:

17 (a) Is conducting a for-profit or nonprofit business, if the
18 primary purpose of that business is the presentation of animals
19 including large carnivores to the public for education or
20 exhibition purposes.

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

23 (c) Meets or exceeds all standards, including but not limited
24 to standards for training, housing, care, and transport of large
25 carnivores, required of a class C licensee under 9 CFR parts 1 and
26 2.

27 (d) Except as provided in subsection (4), does not allow a

1 patron to do any of the following:

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

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

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

8 (f) Does not breed large carnivores.

9 (4) This act does not apply to a person who allows a patron to
10 come into contact with a large carnivore under subsection (3) (d) (i)
11 or (ii) if the large carnivore is a bear less than 36 weeks of age
12 or a bear weighing 90 pounds or less if the person otherwise meets
13 the requirements of subsection (3) and satisfies 1 of the
14 following:

15 (a) The person was in possession of a bear on ~~the effective~~
16 ~~date of the 2013 amendatory act that amended this section.~~ **MARCH 26,**
17 **2013.**

18 (b) The person acquired a business described in subsection
19 (3) (a) from a person who was in possession of a bear on ~~the~~
20 ~~effective date of the 2013 amendatory act that amended this~~
21 ~~section.~~ **MARCH 26, 2013.**

22 **(5) NOTWITHSTANDING ANY LAW TO THE CONTRARY, A PERSON WHO**
23 **MEETS THE REQUIREMENTS OF SUBSECTION (4) MAY BREED NOT MORE THAN 4**
24 **BLACK BEARS PER YEAR IF THE PERSON SATISFIES ALL OF THE FOLLOWING**
25 **CONDITIONS:**

26 **(A) THE PERSON DOES NOT TRANSFER A LARGE CARNIVORE TO ANY OF**
27 **THE FOLLOWING:**

1 (i) A PERSON THAT IS NOT QUALIFIED OR CAPABLE, AS DETERMINED
2 BY THE DEPARTMENT, OF SAFELY MAINTAINING THE LARGE CARNIVORE OR
3 ENSURING ITS WELL-BEING.

4 (ii) AN ANIMAL AUCTION OR A PERSON THAT MAY DISPLAY OR SELL
5 THE LARGE CARNIVORE AT AN ANIMAL AUCTION.

6 (iii) A PERSON THAT ALLOWS THE HUNTING OF LARGE CARNIVORES.

7 (B) THE PERSON DOES NOT RAISE A LARGE CARNIVORE FOR THE
8 PURPOSE OF PROVIDING FOOD, FUR, PELTS, BODY PARTS, ORGANS, OR
9 BODILY FLUIDS, OR TRANSFER A LARGE CARNIVORE TO A PERSON THAT WILL
10 USE THE LARGE CARNIVORE FOR ANY OF THOSE PURPOSES.

11 (C) THE PERSON DOES NOT PERFORM DISFIGURING PROCEDURES,
12 INCLUDING, BUT NOT LIMITED TO, DECLAWING OR CANINE TOOTH REMOVAL,
13 UNLESS CONSIDERED MEDICALLY NECESSARY BY A LICENSED VETERINARIAN.

14 (6) ~~(5)~~—This act does not apply to a circus.

15 Enacting section 1. This amendatory act takes effect 90 days
16 after the date it is enacted into law.