
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 wild animals. (BDR 50-161)

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 wild animals; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the Board of Wildlife Commissioners to adopt
2 regulations to prohibit the importation, transportation and possession of any species
3 of wildlife which the Commission determines is detrimental to the wildlife or
4 habitat of wildlife in this State. (NRS 503.597) Pursuant to that authority, the
5 Commission has adopted regulations governing the possession, transportation,
6 importation, exportation and release of certain species of wildlife. (NAC 503.108-
7 503.140, 504.464, 504.466) Existing law also confers authority upon a board of
8 county commissioners and a city council to enact certain restrictions and
9 regulations on animals, including, for example, prohibiting cruelty to animals and
10 fixing, imposing and collecting license fees. (NRS 244.359, 266.325) Existing law
11 also requires any peace officer and certain officers of a society for the prevention of
12 cruelty to animals to, upon discovering any animal which is being treated cruelly,
13 take possession of the animal and provide it with shelter and care. (NRS 574.055)
14 **Section 7** of this bill makes it unlawful for a person to import, possess, sell, transfer
15 or breed a dangerous wild animal unless the person meets one of several



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16 exemptions. **Section 4** of this bill defines the term “dangerous wild animal.”
17 **Sections 8-10** of this bill provide the exemptions from the prohibition and provide
18 that certain zoos, circuses, research facilities, wildlife sanctuaries and animal
19 shelters may import, possess, sell, transfer or breed a dangerous wild animal, as
20 may veterinarians and certain law enforcement personnel in carrying out their
21 duties. **Section 7** also makes it unlawful for a person to allow a dangerous wild
22 animal to come in contact with a person who does not meet one of the exemptions.
23 **Section 11** of this bill allows a person who possesses a dangerous wild animal
24 before July 1, 2013, to keep that animal if the person meets certain requirements.
25 **Section 12** of this bill authorizes an animal control agent to seize a dangerous wild
26 animal if the agent believes the owner of the animal has violated certain provisions
27 and requires the temporary placement of such an animal with certain animal
28 shelters, zoos or wildlife sanctuaries. **Section 13** of this bill provides for the
29 forfeiture or voluntary relinquishment of a seized dangerous wild animal under
30 certain circumstances, and **section 14** of this bill provides for the disposition of a
31 dangerous wild animal that is forfeited or relinquished. **Section 15** of this bill
32 provides the procedure whereby an entity given temporary custody of a dangerous
33 wild animal pursuant to **section 12** may petition a court to order the person from
34 whom the animal was seized to post security in an amount determined to
35 compensate the entity for the cost of caring for the animal.

36 Existing law makes it a misdemeanor for a person having the care or custody of
37 any vicious or dangerous animal to allow it to go at large, and it is a category D
38 felony if the animal kills a human being who is not in fault. (NRS 200.240,
39 575.020) **Section 16** of this bill provides that it is unlawful to release from captivity
40 or intentionally or negligently allow to escape from captivity a dangerous wild
41 animal and that a violation of that provision is punishable as a gross misdemeanor.
42 **Section 16** further provides that a person who owns or possesses a dangerous wild
43 animal that escapes or is released must report the escape or release immediately to
44 the local animal control agency and is liable for all costs associated with efforts to
45 recapture the animal.

46 **Section 18** of this bill authorizes a county to adopt an ordinance to regulate the
47 importation, possession, sale, transfer or breeding of dangerous wild animals so
48 long as the ordinance does not conflict with or is otherwise consistent with certain
49 provisions of this bill. **Section 19** of this bill provides that a violation of certain
50 provisions of this bill regarding the importation, possession, sale, transfer or
51 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:

1 **Section 1.** Title 50 of NRS is hereby amended by adding
2 thereto a new chapter to consist of the provisions set forth as
3 sections 2 to 19, inclusive, of this act.

4 **Sec. 2.** *As used in this chapter, unless the context otherwise
5 requires, the words and terms defined in sections 3 to 6, inclusive,
6 of this act have the meanings ascribed to them in those sections.*

7 **Sec. 3.** *“Animal control agency” means any entity of a
8 political subdivision authorized to enforce local ordinances and
9 laws of this State related to the control of animals.*

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



1 1. All raccoons and other species from the family
2 *Procyonidae*.

3 2. All snakes from the families *Atractaspidae*, *Elapidae* and
4 *Hydrophiidae*.

5 3. All snakes from the family *Viperidae*, except a species of
6 snake indigenous to this State.

7 4. All species of alligators, caimans, crocodiles and gharials.

8 5. All species of hyenas and aardwolves.

9 6. All species of primates, except humans.

10 7. All twig snakes from the genus *Thelotornis*.

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

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

14 10. Boomslangs (*Dispholidus typus*).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34 26. Tigers (*Panthera tigris*), including hybrids thereof.

35 Sec. 5. "Law enforcement officer" means:

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

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

40 3. Police officers of cities and towns;

41 4. Officers of an animal control agency; and

42 5. Any person acting under the authority of NRS 574.040.

43 Sec. 6. "Wildlife sanctuary" means a nonprofit entity that
44 provides refuge and care to animals that have been, without
45 limitation, abused, neglected, unwanted, impounded, abandoned,



1 *orphaned or displaced. The term does not include any such entity*
2 *that:*

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

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

9 *3. Breeds dangerous wild animals; or*

10 *4. Except as otherwise provided in section 7 of this act, allows*
11 *members of the public to come into direct contact with dangerous*
12 *wild animals.*

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

16 *2. It is unlawful for a person to allow a dangerous wild*
17 *animal to come in direct contact with a person who is not exempt*
18 *from subsection 1 pursuant to the provisions of sections 8 to 11,*
19 *inclusive, of this act.*

20 **Sec. 8.** *The provisions of subsection 1 of section 7 of this act*
21 *do not apply to:*

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

24 *2. An institution that:*

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

27 *(b) Has a current letter of understanding with an accredited*
28 *mentor institution.*

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

32 *4. A facility that:*

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

35 *(b) Has a current letter of understanding with a mentor*
36 *certified related facility.*

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

38 *6. A wildlife sanctuary.*

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

41 *8. Law enforcement officers for the purpose of enforcing the*
42 *laws of this State.*

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



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

3 (a) *The animal is not exhibited; and*

4 (b) *The animal is at all times while in the State kept in a cage*
5 *or travel container that is appropriate to the species and the size of*
6 *the animal and meets the requirements of 9 C.F.R. §§ 3.137 or*
7 *3.87, as applicable.*

8 11. *An animal shelter, as defined in NRS 574.240, which is*
9 *temporarily housing a dangerous wild animal at the written*
10 *request of an animal control agency or law enforcement officer.*

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

13 1. *Holds a class C exhibitor license pursuant to 9 C.F.R. §*
14 *1.1;*

15 2. *Conducts performances which include dangerous wild*
16 *animals and human entertainers, including, without limitation,*
17 *clowns and acrobats;*

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

20 4. *Does not allow members of the public to be in proximity to*
21 *dangerous wild animals unless protective barriers which meet all*
22 *applicable federal, state and local standards are provided to*
23 *maintain safe distances between the members of the public and*
24 *any dangerous wild animal.*

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

27 (a) *Has an active contract regarding, without limitation, the*
28 *possession, breeding or exhibition of dangerous wild animals with*
29 *a resort hotel, as defined in NRS 463.01865;*

30 (b) *Holds a class C exhibitor license pursuant to 9 C.F.R. §*
31 *1.1;*

32 (c) *Has not:*

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

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

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

43 (d) *Does not:*



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

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

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

11 (e) *Has:*

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

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

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

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

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

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

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

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



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

4 (b) *Was in compliance with paragraphs (b) to (e), inclusive, of*
5 *subsection 1.*

6 **Sec. 11.** *The provisions of subsection 1 of section 7 of this*
7 *act do not apply to a person who does not meet the requirements of*
8 *section 8, 9 or 10 of this act but who lawfully possessed a*
9 *dangerous wild animal before July 1, 2013, if that person:*

10 1. *Has not:*

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

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

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

20 3. *If selling or transferring a dangerous wild animal to*
21 *another person:*

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

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

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

31 5. *Maintains liability insurance in an amount not less than*
32 *\$250,000 per occurrence, with a deductible of not more than \$250,*
33 *covering property damage or bodily injury or death caused by any*
34 *dangerous wild animals that the person possesses;*

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

40 7. *Pursuant to an ordinance adopted pursuant to section 18*
41 *of this act by the county having jurisdiction over the location*
42 *where the dangerous wild animal is kept, register with the county,*
43 *if required, and pay any applicable fee to the county.*

44 **Sec. 12.** 1. *An animal control agency may seize a*
45 *dangerous wild animal if the agency has probable cause to believe*



1 *that the person who owns or possesses the dangerous wild animal*
2 *has violated any provision of sections 7 to 11, inclusive, of this act*
3 *or any ordinance adopted pursuant to section 18 of this act by the*
4 *county having jurisdiction over the location where the dangerous*
5 *wild animal is kept.*

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

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

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

12 (c) *A wildlife sanctuary.*

13 3. *An animal control agency may, if placement with an entity*
14 *specified in subsection 2 is not immediately available, impound a*
15 *dangerous wild animal seized pursuant to subsection 1 on the*
16 *property of the person who owns or possesses the animal until*
17 *such a placement becomes available.*

18 **Sec. 13.** 1. *If a person from whom a dangerous wild animal*
19 *is seized pursuant to section 12 of this act is convicted of or pleads*
20 *guilty to a violation of a provision of sections 7 to 11, inclusive, of*
21 *this act or any ordinance adopted pursuant to section 18 of this act*
22 *by the county having jurisdiction over the location where the*
23 *dangerous wild animal was kept, the court may order the animal*
24 *forfeited by the person.*

25 2. *A person from whom a dangerous wild animal is seized*
26 *pursuant to section 12 of this act may voluntarily relinquish the*
27 *animal. A person who voluntarily relinquishes a dangerous wild*
28 *animal pursuant to this section remains subject to the imposition*
29 *of any penalties for a violation of a provision of sections 7 to 11,*
30 *inclusive, of this act.*

31 **Sec. 14.** 1. *A dangerous wild animal voluntarily*
32 *relinquished pursuant to section 13 of this act or forfeited*
33 *pursuant to subsection 4 of section 15 of this act must be placed in*
34 *the custody of:*

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

37 (b) *A wildlife sanctuary.*

38 2. *If placement of a dangerous wild animal pursuant to*
39 *subsection 1 is not possible after reasonable efforts by an animal*
40 *control agency to make such a placement, the animal may be*
41 *humanely euthanized by an animal control agency in compliance*
42 *with all applicable local, state and federal laws.*

43 **Sec. 15.** 1. *An entity with whom a dangerous wild animal is*
44 *placed temporarily pursuant to subsection 2 of section 12 of this*
45 *act may file a petition in any court of competent jurisdiction to*



1 request that the person from whom the animal was seized be
2 ordered to post security adequate to ensure full payment of all
3 reasonable costs incurred in caring for the animal during the
4 pendency of any proceedings regarding the disposition of the
5 animal that was seized.

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

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

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

26 5. Upon resolution of the proceedings regarding the
27 disposition of the dangerous wild animal that was seized, the
28 person having custody of the animal must refund to the person
29 who posted the security any of the security remaining.

30 **Sec. 16.** 1. It is unlawful to release a dangerous wild
31 animal from captivity or to intentionally or negligently allow it to
32 escape from captivity.

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

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

36 (1) Shall, immediately after receiving knowledge of the
37 release or escape, report the release or escape to the animal
38 control agency having jurisdiction over the location of the release
39 or escape.

40 (2) Is liable for all:

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

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



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

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

8 ***4. A person who is convicted of a violation of subsection 2 is***
9 ***guilty of a misdemeanor.***

10 ***Sec. 17. The provisions of this chapter do not apply to the***
11 ***extent that they conflict or are otherwise inconsistent with the***
12 ***provisions of chapter 574 of NRS.***

13 ***Sec. 18. 1. Except as otherwise provided in subsection 2, a***
14 ***county may adopt an ordinance as provided in chapter 244 of NRS***
15 ***to regulate the importation, possession, sale, transfer or breeding***
16 ***of dangerous wild animals if the ordinance does not conflict with***
17 ***the provisions of this chapter.***

18 ***2. An ordinance adopted pursuant to subsection 1:***

19 ***(a) May provide for, without limitation, reasonable and***
20 ***necessary fees, registration requirements, humane care standards***
21 ***for dangerous wild animals and expansion of the definition of***
22 ***dangerous wild animal set forth in section 4 of this act; and***

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

25 ***Sec. 19. A person who violates any provision of sections 7 to***
26 ***11, inclusive, of this act, is guilty of a misdemeanor.***

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

28 ***571.210 1. Except as otherwise provided in this section,***
29 ***sections 2 to 19, inclusive, of this act, and any ordinance adopted***
30 ***by a county pursuant to section 18 of this act, a person, or the***
31 ***person's agent or employee may bring into this State any animal not***
32 ***under special quarantine by the State of Nevada, the Federal***
33 ***Government, or the state, territory or district of origin in compliance***
34 ***with regulations adopted by the State Quarantine Officer.***

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

38 ***3. A person, or the person's agent or employee shall not bring***
39 ***any animal into this State unless he or she has obtained a health***
40 ***certificate showing that the animal is free from contagious,***
41 ***infectious or parasitic diseases or exposure thereto. This requirement***
42 ***does not apply to any animal whose accustomed range is on both***
43 ***sides of the Nevada state line and which is being moved from one***
44 ***portion to another of the accustomed range merely for pasturing and***



1 grazing thereon. The State Quarantine Officer shall adopt
2 regulations concerning the form of the certificate.

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

4 (a) Alter a health certificate; or

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

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

11 (a) Rocky Mountain elk (Cervus elaphus nelsoni);

12 (b) Mule deer (Odocoileus hemionus);

13 (c) White-tailed deer (Odocoileus virginianus); or

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

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

23 **Sec. 21.** NRS 574.615 is hereby amended to read as follows:

24 574.615 1. "Pet" means an animal that is kept by a person
25 primarily for personal enjoyment.

26 2. The term does not include ~~†a†~~ :

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

28 ~~†a†~~ (1) Hunting;

29 ~~†b†~~ (2) Use in connection with farming or agriculture;

30 ~~†c†~~ (3) Breeding;

31 ~~†d†~~ (4) Drawing heavy loads; or

32 ~~†e†~~ (5) Use as a service animal or a service animal in training,
33 as those terms are defined in NRS 426.097 and 426.099,
34 respectively ~~††~~ ; or

35 (b) A dangerous wild animal, as defined in section 4 of this
36 act.

37 **Sec. 22.** NRS 575.020 is hereby amended to read as follows:

38 575.020 1. ~~†Every†~~ Except as otherwise provided in section
39 16 of this act, every person having the care or custody of any animal
40 known to possess any vicious or dangerous tendencies, who allows
41 it to escape or run at large in any place or manner liable to endanger
42 the safety of any person, is guilty of a misdemeanor.

43 2. Any person may lawfully and without liability for damages
44 kill such an animal when reasonably necessary to protect his or her
45 own safety or the public safety, or if the animal chases, worries,



1 injures or kills the person's livestock on the land of any person other
2 than that of the owner of the animal.

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

7 4. As used in this section, "livestock" means all animals of the
8 bovine, caprine, equine, ovine and porcine species, and all
9 domesticated fowl and rabbits.

10 **Sec. 23.** NRS 244.359 is hereby amended to read as follows:

11 244.359 1. Each board of county commissioners may enact
12 and enforce an ordinance or ordinances:

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

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

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

20 (d) Prohibiting cruelty to animals.

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

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

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

39 **4. *The provisions of this section apply only to the extent that***
40 ***they do not conflict with sections 2 to 19, inclusive, of this act.***

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

42 266.325 1. The city council may:

43 ~~H-H~~ (a) Fix, impose and collect an annual license fee on all
44 animals and provide for the capture and disposal of all animals on
45 which the license fee is not paid.



1 ~~12~~ (b) Regulate or prohibit the running at large and disposal of
2 all kinds of animals and poultry.

3 ~~13~~ (c) Establish a pound, appoint a poundkeeper and prescribe
4 the poundkeeper's duties.

5 ~~14~~ (d) Prohibit cruelty to animals.

6 2. *The provisions of this section apply only to the extent that*
7 *they do not conflict with sections 2 to 19, inclusive, of this act.*

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

9 278.0177 1. "Rural preservation neighborhood" means a
10 subdivided or developed area:

11 ~~11~~ (a) Which consists of 10 or more residential dwelling units;

12 ~~12~~ (b) Where the outer boundary of each lot that is used for
13 residential purposes is not more than 330 feet from the outer
14 boundary of any other lot that is used for residential purposes;

15 ~~13~~ (c) Which has no more than two residential dwelling units
16 per acre; and

17 ~~14~~ (d) Which allows residents to raise or keep animals
18 noncommercially.

19 2. *As used in this section, the term "animal" does not include*
20 *a dangerous wild animal as defined in section 4 of this act.*

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

22 501.379 1. Except as otherwise provided in this section ~~11~~
23 *and section 7 of this act:*

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

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

32 2. The provisions of this section do not apply to alternative
33 livestock and products made therefrom.

34 **Sec. 27.** NRS 503.590 is hereby amended to read as follows:

35 503.590 1. Except as otherwise provided in this section ~~11~~
36 *and section 7 of this act,* a person may maintain a noncommercial
37 collection of legally obtained live wildlife if:

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

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

43 2. The Commission may adopt reasonable regulations
44 establishing minimum standards for the fencing or containment of
45 any collection of wildlife.



1 3. The provisions of this section do not apply to alternative
2 livestock and products made therefrom.

3 **Sec. 28.** NRS 503.597 is hereby amended to read as follows:

4 503.597 1. Except as otherwise provided in this section ~~§~~
5 *and section 7 of this act*, it is unlawful, except by the written
6 consent and approval of the Department, for any person at anytime
7 to receive, bring or have brought or shipped into this State, or
8 remove from one stream or body of water in this State to any other,
9 or from one portion of the State to any other, or to any other state,
10 any aquatic life or wildlife, or any spawn, eggs or young of any of
11 them.

12 2. The Department shall require an applicant to conduct an
13 investigation to confirm that such an introduction or removal will
14 not be detrimental to the wildlife or the habitat of wildlife in this
15 State. Written consent and approval of the Department may be given
16 only if the results of the investigation prove that the introduction,
17 removal or importation will not be detrimental to existing aquatic
18 life or wildlife, or any spawn, eggs or young of any of them.

19 3. The Commission may through appropriate regulation
20 provide for the inspection of such introduced or removed creatures
21 and the inspection fees therefor.

22 4. ~~The~~ *Except as otherwise provided in section 7 of this act,*
23 *the* Commission may adopt regulations to prohibit the importation,
24 transportation or possession of any species of wildlife which the
25 Commission deems to be detrimental to the wildlife or the habitat of
26 the wildlife in this State.

27 5. ~~A~~ *Except as otherwise provided in sections 7 and 16 of*
28 *this act,* a person who knowingly or intentionally introduces, causes
29 to be introduced or attempts to introduce an aquatic invasive species
30 or injurious aquatic species into any waters of this State is guilty of:

31 (a) For a first offense, a misdemeanor; and

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

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

39 (a) Remove the aquatic invasive species or injurious aquatic
40 species;

41 (b) Reintroduce any game fish or other aquatic wildlife
42 destroyed by the aquatic invasive species or injurious aquatic
43 species;

44 (c) Restore any habitat destroyed by the aquatic invasive species
45 or injurious aquatic species;



1 (d) Repair any other damage done to the waters of this State by
2 the introduction of the aquatic invasive species or injurious aquatic
3 species; and

4 (e) Defray any other costs incurred by the Department because
5 of the introduction of the aquatic invasive species or injurious
6 aquatic species.

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

8 (a) Alternative livestock and products made therefrom; or

9 (b) The introduction of any species by the Department for sport
10 fishing or other wildlife management programs.

11 8. As used in this section:

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

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

21 (1) Predation;

22 (2) Parasitism;

23 (3) Interbreeding; or

24 (4) The transmission of disease.

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

26 504.295 1. Except as otherwise provided in this section and
27 NRS 503.590, *and sections 7 and 16 of this act*, or unless otherwise
28 specified by a regulation adopted by the Commission, no person
29 may:

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

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

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

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

41 3. ~~¶H~~ *Except as otherwise provided in section 7 of this act, in*
42 *accordance with the regulations of the Commission, the Department*
43 *may issue commercial and noncommercial licenses for the*
44 *possession of live wildlife upon receipt of the applicable fee.*



- 1 4. The provisions of this section do not apply to alternative
- 2 livestock and products made therefrom.
- 3 **Sec. 30.** This act becomes effective on July 1, 2013.

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* S B 2 4 5 *