

**As Amended by House Committee**

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*{As Amended by Senate Committee of the Whole}*

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*As Amended by Senate Committee*

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*Session of 2015*

**SENATE BILL No. 97**

By Committee on Natural Resources

1-28

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1 AN ACT concerning animals; relating to contact with dangerous regulated  
2 animals; amending K.S.A. ~~2014~~ **2015** Supp. 32-1301, 32-1306 and 32-  
3 1308 and repealing the existing sections.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. ~~2014~~ **2015** Supp. 32-1301 is hereby amended to  
7 read as follows: 32-1301. As used in this act:

8 (a) "Person" means any individual, firm, partnership, corporation,  
9 association, municipality or other business entity.

10 (b) "Wildlife sanctuary" means a not-for-profit organization exempt  
11 from federal income taxation pursuant to section 501 (c)(3) of the internal  
12 revenue code of 1986, as in effect on July 1, 2006, that:

13 (1) Operates a place of refuge where abused, neglected, unwanted,  
14 impounded, abandoned, orphaned or displaced dangerous regulated  
15 animals are provided care for such animal's lifetime;

16 (2) does not conduct any commercial activity with respect to any  
17 dangerous regulated animal possessed by the organization;

18 (3) does not sell, trade, auction, lease or loan dangerous regulated  
19 animals, or parts thereof, which the organization possesses;

20 (4) does not breed any dangerous regulated animal of which the  
21 organization possesses, except as an integral part of the species survival  
22 plan of the American zoo and aquarium association;

23 (5) does not conduct any activity that is not inherent to the dangerous  
24 regulated animal's nature;

25 (6) does not use the dangerous regulated animal for any type of  
26 entertainment purposes; and

27 (7) operates a refuge in compliance with regulations promulgated by  
28 the United States department of agriculture for dangerous regulated  
29 animals, except non-native, venomous snakes, under the animal welfare  
30 act, public law 89-544, as amended and in effect on July 1, 2006, and the  
31 regulations and standards adopted under such act in effect on July 1, 2006,  
32 relating to operations, animal health and husbandry. All dangerous

1 regulated animals shall be caged in compliance with the provisions set  
2 forth in K.S.A. ~~2014~~ 2015 Supp. 32-1306, and amendments thereto.

3 (c) "Possess" means to own, care for, have custody of or control.

4 (d) "Dangerous regulated animal" means a live or slaughtered parts  
5 of:

6 (1) Lions, tigers, ~~leopards~~, jaguars, ~~cheetahs~~ and mountain lions ~~and~~,  
7 ~~leopards, not including clouded leopards,~~ and **{cheetahs}** or any hybrid  
8 thereof;

9 (2) bears or any hybrid thereof; and

10 (3) all ~~non-native~~ venomous snakes.

11 (e) "Local animal control authority" means an agency of the county  
12 or city that is responsible for animal control operations in such  
13 governmental entity's jurisdiction and includes the animal control officer,  
14 as defined by K.S.A. 47-1701, and amendments thereto, of such county or  
15 city. If the county or city does not have an animal control officer, for cities  
16 of the first class, the chief law enforcement officer shall have the local  
17 animal control authority duties and responsibilities pursuant to this act and  
18 for all other cities and counties, the county sheriff shall have the local  
19 animal control authority duties and responsibilities pursuant to this act.

20 (f) "Registered designated handler" means a person who is registered  
21 or would be required to be registered pursuant to K.S.A. ~~2014~~ 2015 Supp.  
22 32-1310, and amendments thereto.

23 (g) *"Full contact" means a situation in which an exhibitor or handler*  
24 *maintains control, possession and supervision of an animal while*  
25 *temporarily surrendering physical possession or custody of such animal to*  
26 *another person.*

27 (h) *"Incidental contact" means a situation in which an exhibitor or*  
28 *handler maintains control, possession and supervision of an animal while*  
29 *permitting the public to come into contact with it.*

30 **{(i) "Control" means keeping an animal in a harness and**  
31 **connected to a leash.}**

32 Sec. 2. K.S.A. ~~2014~~ 2015 Supp. 32-1306 is hereby amended to read  
33 as follows: 32-1306. (a) ***Except as provided in subsection (e)***, All  
34 dangerous regulated animals shall be confined within a cage of sufficient  
35 strength and design for the purposes of maintaining and housing or  
36 transporting the animal. The requirements for sufficient caging shall be  
37 established by rules and regulations adopted by the secretary of wildlife,  
38 parks and tourism. Any cage or confinement structure shall be constructed  
39 in such a manner that prohibits physical contact with any person other than  
40 such persons listed in subsection (d).

41 ~~(b) To prevent injuries to members of the public, all Dangerous~~  
42 ~~regulated animals shall be maintained under strict supervision and~~  
43 ~~control. No dangerous regulated animal shall be allowed to be removed~~

1 ~~from confinement shall not be allowed to run at large or be~~ tethered,  
 2 ~~leashed or chained outdoors, or allowed to run at large~~ *unsupervised*.

3 (c) A dangerous regulated animal shall not be mistreated, neglected,  
 4 abandoned or deprived of necessary food, water and sustenance.

5 (d) A dangerous regulated animal shall ~~not~~ be allowed to come into  
 6 physical contact with ~~any person other than~~ the person possessing the  
 7 animal, the registered designated handler or a veterinarian administering  
 8 medical examination, treatment or care.

9 (e)(1) A dangerous regulated animal ~~shall not be brought to any~~  
 10 ~~public property or commercial or retail establishment, except to bring the~~  
 11 ~~animal to a licensed veterinarian or veterinarian clinic, not including bears~~  
 12 ~~or any hybrid thereof and~~ ~~non-native~~, venomous snakes, shall be permitted  
 13 to come into full ~~physical~~ contact with members of the public if such  
 14 animal weighs ~~25~~ {10} pounds or less.

15 (2) A dangerous regulated animal, not including bears or any hybrid  
 16 thereof and ~~non-native~~, venomous snakes, shall be permitted incidental  
 17 physical contact with members of the public if such animal weighs 40  
 18 pounds or less.

19 (3) A dangerous regulated animal may only be used for contact with  
 20 the public if the exhibitor:

21 (A) Evaluates such animal and ensures compatibility with the  
 22 intended uses of such animal;

23 (B) takes reasonable sanitary precautions to minimize the possibility  
 24 of disease or parasite transmission which could adversely affect the health  
 25 or welfare of members of the public or wildlife; and

26 (C) exhibits such animal in a manner that prevents injuries to  
 27 members of the public or wildlife.

28 (4) Handling intervals or physical contact, full or incidental, by  
 29 members of the public with dangerous regulated animals shall be limited  
 30 in frequency, intensity and duration to protect the health, welfare and  
 31 safety of the animals and to prevent injury to members of the public.

32 **{(5) Before a member of the public handles or otherwise comes into**  
 33 **physical contact with a dangerous regulated animal weighing between**  
 34 **10 and** ~~40~~ **25 pounds, not including bears or any hybrid thereof and**  
 35 **non-native venomous snakes, such member of the public shall read and**  
 36 **sign a statement that shall contain substantially the following:**

37 **"The handling or petting of a dangerous regulated animal is**  
 38 **inherently dangerous and may result in scratches, bites or other**  
 39 **injuries."**

40 Sec. 3. K.S.A. ~~2014~~ 2015 Supp. 32-1308 is hereby amended to read  
 41 as follows: 32-1308. Exemptions to the provisions set forth in this act are  
 42 as follows:

43 (a) Institutions accredited by the ~~American zoo and aquarium~~

1 association of *zoos and aquariums* or the zoological association of  
2 America shall be exempt from K.S.A. ~~2014~~ **2015** Supp. 32-1302 and, 32-  
3 1303 and 32-1310, and amendments thereto.

4 (b) A wildlife sanctuary registered with the local animal control  
5 authority shall be exempt from K.S.A. ~~2014~~ **2015** Supp. 32-1302, and  
6 amendments thereto.

7 (c) The Kansas department of wildlife, parks and tourism, or a person  
8 issued a permit by the secretary pursuant to K.S.A. 32-952, and  
9 amendments thereto, shall be exempt from this act.

10 (d) A licensed or accredited research or medical institution shall be  
11 exempt from K.S.A. ~~2014~~ **2015** Supp. 32-1302 and 32-1303, and  
12 amendments thereto.

13 (e) A United States department of agriculture licensed exhibitor of  
14 dangerous regulated animals while transporting or as part of a circus,  
15 carnival, rodeo or fair shall be exempt from this act.

16 Sec. 4. K.S.A. ~~2014~~ **2015** Supp. 32-1301, 32-1306 and 32-1308 are  
17 hereby repealed.

18 Sec. 5. This act shall take effect and be in force from and after its  
19 publication in the statute book.