

ASSEMBLY BILL NO. 238—ASSEMBLYMEN COHEN;
EDWARDS, FUMO, HAMBRICK AND KRAMER

FEBRUARY 24, 2017

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Enacts provisions relating to the importation,
possession, sale, transfer and breeding of dangerous
wild animals. (BDR 50-760)

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.

~

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 such 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 ordinances
9 concerning animals, including, for example, prohibiting cruelty to animals and
10 fixing, imposing and collecting license fees. (NRS 244.359, 266.325) **Section 7** of
11 this bill makes it unlawful for a person to import, possess, sell, transfer or breed a
12 dangerous wild animal, as defined in **section 4** of this bill, unless the person meets
13 one of several exemptions. **Sections 8-10** of this bill provide that certain zoological
14 parks, circuses, research facilities, wildlife sanctuaries and animal shelters may
15 import, possess, sell, transfer or breed a dangerous wild animal, as may
16 veterinarians and certain law enforcement personnel in carrying out their duties.
17 **Section 7** also makes it unlawful for a person to allow a dangerous wild animal to



* A B 2 3 8 *

18 come in contact with a person who does not fall within one of the exemptions.
19 **Section 10** allows a person who possesses a dangerous wild animal before July 1,
20 2017, to keep that animal if the person meets certain requirements. **Section 11** of
21 this bill authorizes an animal control agent to seize a dangerous wild animal if the
22 agent believes the owner of the animal has violated certain provisions. **Section 12**
23 of this bill authorizes the forfeiture or voluntary relinquishment of a seized
24 dangerous wild animal under certain circumstances, and **section 13** of this bill
25 provides for the disposition of a dangerous wild animal that is seized, forfeited or
26 relinquished. **Section 14** of this bill sets forth the manner in which a person or
27 entity given temporary custody of a dangerous wild animal may petition a court to
28 order the person from whom the animal was seized to post security to compensate
29 the person or entity for the cost of caring for the animal.

30 Existing law makes it a misdemeanor for a person having the care or custody of
31 any vicious or dangerous animal to allow it to go at large, and it is a category D
32 felony if the animal kills a human being who is not at fault. (NRS 200.240,
33 575.020) **Section 15** of this bill makes it unlawful to release from captivity or
34 intentionally or negligently allow to escape from captivity a dangerous wild animal
35 and provides that a violation of that provision is punishable as a gross
36 misdemeanor. **Section 15** further provides that a person who owns or possesses a
37 dangerous wild animal that escapes or is released must report the escape or release
38 immediately to the local animal control agency and is liable for all costs associated
39 with efforts to recapture the animal.

40 **Section 17** of this bill authorizes a county to adopt an ordinance to regulate the
41 importation, possession, sale, transfer or breeding of dangerous wild animals so
42 long as the ordinance does not conflict with certain provisions of this bill. **Section**
43 **18** of this bill provides that a violation of certain provisions of this bill regarding
44 the importation, possession, sale, transfer or breeding of dangerous wild animals is
45 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 18, 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 relating to the control of animals.*

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

12 1. *All snakes from the families Atractaspidae, Elapidae and*
13 *Hydrophiidae.*

14 2. *All snakes from the family Viperidae, except any species of*
15 *snake indigenous to this State.*

16 3. *All species of alligators, caimans, crocodiles and gharials.*

17 4. *All species of hyenas and aardwolves.*



- 1 5. *All species of primates, except humans.*
- 2 6. *All twig snakes from the genus Thelotornis.*
- 3 7. *American black bears (Ursus americanus) that have been*
- 4 *bred in captivity.*
- 5 8. *Asiatic black bears (Ursus thibetanus).*
- 6 9. *Boomslangs (Dispholidus typus).*
- 7 10. *Brown bears (Ursus arctos).*
- 8 11. *Cheetahs (Acinonyx jubatus), including hybrids thereof.*
- 9 12. *Clouded leopards (Neofelis nebulosa and Neofelis diardi),*
- 10 *including hybrids thereof.*
- 11 13. *Giant pandas (Ailuropoda melanoleuca).*
- 12 14. *Gray wolves (Canis lupus).*
- 13 15. *Jaguars (Panthera onca), including hybrids thereof.*
- 14 16. *Leopards (Panthera pardus), including hybrids thereof.*
- 15 17. *Lions (Panthera leo), including hybrids thereof.*
- 16 18. *Mountain lions (Puma concolor) that have been bred in*
- 17 *captivity, including hybrids thereof.*
- 18 19. *Polar bears (Ursus maritimus).*
- 19 20. *Red wolves (Canis rufus) that have been bred in captivity.*
- 20 21. *Sloth bears (Melursus ursinus).*
- 21 22. *Snow leopards (Panthera uncia), including hybrids*
- 22 *thereof.*
- 23 23. *Spectacled bears (Tremarctos ornatus), including hybrids*
- 24 *thereof.*
- 25 24. *Sun bears (Helarctos malayanus).*
- 26 25. *Tigers (Panthera tigris), including hybrids thereof.*
- 27 **Sec. 5. "Law enforcement officer" means:**
- 28 1. *A sheriff of a county or metropolitan police department or*
- 29 *any deputy of either;*
- 30 2. *An employee of the Department of Public Safety who has*
- 31 *the powers of a peace officer pursuant to NRS 289.270;*
- 32 3. *A police officer of a city or town;*
- 33 4. *An officer of an animal control agency;*
- 34 5. *A game warden or other agent or employee of the*
- 35 *Department of Wildlife; and*
- 36 6. *Any person acting under the authority of NRS 574.040.*
- 37 **Sec. 6. "Wildlife sanctuary" means a nonprofit entity that**
- 38 *provides refuge and care to animals that have been, without*
- 39 *limitation, abused, neglected, unwanted, impounded, abandoned,*
- 40 *orphaned or displaced. The term does not include any such entity*
- 41 *that:*
- 42 1. *Conducts any commercial activity or business for profit*
- 43 *relating to dangerous wild animals, including, without limitation,*
- 44 *the sale, trade, auction, lease or loan of dangerous wild animals or*
- 45 *parts of such animals;*



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

3 3. *Breeds dangerous wild animals; or*

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

7 **Sec. 7.** 1. *Except as otherwise provided in sections 8, 9 and*
8 *10 of this act, it is unlawful for a person to import, possess, sell,*
9 *transfer or breed a dangerous wild animal in this State.*

10 2. *It is unlawful for a person to allow a dangerous wild*
11 *animal to come in direct contact with a person who is not exempt*
12 *from subsection 1 pursuant to the provisions of sections 8, 9 and*
13 *10 of this act.*

14 **Sec. 8.** *The provisions of section 7 of this act do not apply to:*

15 1. *A circus or zoological park that:*

16 (a) *Holds, in good standing, a class C exhibitor license issued*
17 *pursuant to 9 C.F.R. § 1.1;*

18 (b) *Does not employ a person who has direct contact with a*
19 *dangerous wild animal and who has been convicted of or fined by*
20 *any federal, state or local governmental entity for an offense*
21 *involving the abuse or neglect of an animal;*

22 (c) *Has not been cited within the immediately preceding 3*
23 *years by the United States Department of Agriculture for refusing*
24 *access to any property owned or operated by the circus or*
25 *zoological park by an inspector of the Department or for*
26 *interfering with an inspection;*

27 (d) *Does not allow direct contact between members of the*
28 *public and any dangerous wild animal;*

29 (e) *Maintains liability insurance in an amount not less than*
30 *\$250,000 per occurrence covering property damage or bodily*
31 *injury or death caused by any dangerous wild animal that the*
32 *circus or zoological park possesses;*

33 (f) *Files an annual written plan with the local animal control*
34 *agency having jurisdiction over the location of the circus or*
35 *zoological park for the quick and safe recapture or destruction of*
36 *a dangerous wild animal that escapes from captivity, including,*
37 *without limitation, protocols for training employees of the circus*
38 *or zoological park concerning methods of safe recapture of such*
39 *an animal; and*

40 (g) *Files an annual list with the local animal control agency*
41 *specified in paragraph (f) setting forth all dangerous wild animals*
42 *which are acquired or disposed of by the circus or zoological park*
43 *during the calendar year for which the circus or zoological park*
44 *files the list.*

45 2. *A research facility, as defined in 7 U.S.C. § 2132.*



1 3. *A wildlife sanctuary.*

2 4. *A veterinarian licensed pursuant to chapter 638 of NRS for*
3 *the purpose of providing treatment to a dangerous wild animal.*

4 5. *Law enforcement officers for the purpose of enforcing the*
5 *laws of this State.*

6 6. *Game wardens and other agents and employees of the*
7 *Department of Wildlife for the purpose of enforcing title 45 of*
8 *NRS.*

9 7. *A person transporting a legally possessed dangerous wild*
10 *animal through the State for a period of not more than 48 hours*
11 *if:*

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

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

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

20 **Sec. 9. 1.** *Except as otherwise provided in subsection 1 of*
21 *section 8 of this act, the provisions of section 7 of this act do not*
22 *apply to a person who:*

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

26 (b) *Holds, in good standing, a class C exhibitor license*
27 *pursuant to 9 C.F.R. § 1.1;*

28 (c) *Has not:*

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

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

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

39 (d) *Does not:*

40 (1) *Employ a person who has direct contact with a*
41 *dangerous wild animal and who has been convicted of or fined by*
42 *any federal, state or local governmental entity for an offense*
43 *involving the abuse or neglect of an animal;*

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



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

6 (e) Has liability insurance in an amount not less than
7 \$250,000 per occurrence covering property damage or bodily
8 injury or death caused by any dangerous wild animal that the
9 person possesses.

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

14 3. Upon adoption of an ordinance pursuant to section 17 of
15 this act by the county in which the applicable resort hotel is
16 located, a person who possesses, breeds or exhibits any dangerous
17 wild animals as described in subsection 1 shall file annually with
18 the local animal control agency having jurisdiction over the
19 location of the resort hotel with which the person has a contract
20 described in paragraph (a) of subsection 1:

21 (a) A written plan for the quick and safe recapture or
22 destruction of a dangerous wild animal that escapes from
23 captivity, including, without limitation, protocols for training
24 employees of the person and the staff of the resort hotel
25 concerning methods of safe recapture of such an animal;

26 (b) A list of all dangerous wild animals which are acquired or
27 disposed of by the person during the calendar year for which the
28 person files the list; and

29 (c) A copy of the active written contract the person has with
30 the resort hotel as described in paragraph (a) of subsection 1.

31 4. The provisions of subsection 1 of section 7 of this act do
32 not apply to a person who, before July 1, 2017:

33 (a) Had an active written contract for the immediately
34 preceding 2 years that meets the requirements of paragraph (a) of
35 subsection 1; and

36 (b) Was in compliance with paragraphs (b) to (e), inclusive, of
37 subsection 1 during all of that period.

38 **Sec. 10.** The provisions of section 7 of this act do not apply to
39 a person who does not meet the requirements of section 8 or 9 of
40 this act but lawfully possessed a dangerous wild animal before
41 July 1, 2017, if that person:

42 1. Has not:

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



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

4 2. Does not acquire any additional dangerous wild animals
5 through purchase, donation or breeding on or after July 1, 2017,
6 except in compliance with section 8 or 9 of this act;

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

9 (a) Notifies the animal control agency with jurisdiction over
10 the location where the dangerous wild animal is kept in writing
11 not less than 72 hours before the sale or transfer of the name and
12 address of the recipient of the dangerous wild animal; and

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

14 4. Maintains all veterinary records and any documents
15 evidencing the acquisition of the dangerous wild animal to
16 establish that the person possessed the dangerous wild animal
17 before July 1, 2017;

18 5. Maintains liability insurance in an amount not less than
19 \$250,000 per occurrence covering property damage or bodily
20 injury or death caused by any dangerous wild animal that the
21 person possesses;

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

27 7. Pursuant to an ordinance adopted pursuant to section 17
28 of this act by the county having jurisdiction over the location
29 where the dangerous wild animal is kept, registers with the county,
30 if required, and pays any applicable fee to the county.

31 **Sec. 11.** 1. An animal control agency may seize a
32 dangerous wild animal if the agency has probable cause to believe
33 that the person who owns or possesses the dangerous wild animal
34 has violated any provision of sections 7 to 10, inclusive, of this act
35 or any ordinance adopted pursuant to section 17 of this act by the
36 county having jurisdiction over the location where the dangerous
37 wild animal is kept.

38 2. An animal control agency may impound a dangerous wild
39 animal seized pursuant to subsection 1 on the property of the
40 person who owns or possesses the animal until a transfer and
41 placement of the dangerous wild animal becomes possible.

42 **Sec. 12.** 1. If a person from whom a dangerous wild animal
43 is seized pursuant to section 11 of this act is convicted of or pleads
44 guilty to a violation of a provision of sections 7 to 10, inclusive, of
45 this act or any ordinance adopted pursuant to section 17 of this act



1 *by the county having jurisdiction over the location where the*
2 *dangerous wild animal is kept, the court may order the animal*
3 *forfeited by the person.*

4 *2. A person from whom a dangerous wild animal is seized*
5 *pursuant to section 11 of this act may voluntarily relinquish the*
6 *animal. A person who voluntarily relinquishes a dangerous wild*
7 *animal pursuant to this section remains subject to the imposition*
8 *of any penalties for a violation of a provision of sections 7 to 10,*
9 *inclusive, of this act.*

10 *3. A dangerous wild animal that is forfeited pursuant to this*
11 *section may be returned to the owner of the dangerous wild*
12 *animal if the animal control agency determines that:*

13 *(a) The owner has corrected each violation resulting in the*
14 *forfeiture;*

15 *(b) The return of the dangerous wild animal does not create a*
16 *risk to public health or safety;*

17 *(c) The dangerous wild animal has not been treated cruelly;*
18 *and*

19 *(d) The owner is in compliance with the provisions of this*
20 *chapter and any ordinance adopted pursuant to section 17 of this*
21 *act.*

22 **Sec. 13.** *1. A dangerous wild animal that is seized pursuant*
23 *to section 11 of this act, voluntarily relinquished pursuant to*
24 *section 12 of this act or forfeited pursuant to section 12 or 14 of*
25 *this act must be placed in the custody of a person or entity that is*
26 *exempted from the provisions of section 7 of this act pursuant to*
27 *section 8 of this act.*

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

33 **Sec. 14.** *1. An entity with whom a dangerous wild animal is*
34 *placed pursuant to section 13 of this act may file a petition in any*
35 *court of competent jurisdiction to request that the person from*
36 *whom the animal was seized be ordered to post security adequate*
37 *to ensure full payment of all reasonable costs incurred in caring*
38 *for the animal during the pendency of any proceedings regarding*
39 *the disposition of the dangerous wild animal.*

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

44 *3. The court shall set a hearing on any petition filed pursuant*
45 *to subsection 1 to be held within 5 business days after service of*



1 *the petition pursuant to subsection 2. At the hearing, the court*
2 *may determine whether any additional interested parties must be*
3 *served with the petition. If the court determines that additional*
4 *parties must be served with the petition, the hearing must be*
5 *continued to provide time for the petitioner to serve the interested*
6 *parties with the petition and for the interested parties to respond to*
7 *the petition.*

8 *4. If a court orders the posting of security pursuant to a*
9 *hearing on a petition, the court may require the entire amount of*
10 *the security to be posted within 5 business days after the issuance*
11 *of the order or may allow the person from whom the dangerous*
12 *wild animal was seized to make installment payments of the total*
13 *amount ordered. If the security is not paid as ordered by the court,*
14 *the animal must be forfeited and the animal control agency that*
15 *seized the animal shall proceed pursuant to section 13 of this act.*

16 *5. Upon resolution of the proceedings regarding the*
17 *disposition of the dangerous wild animal that was seized, the*
18 *person having custody of the animal must refund to the person*
19 *who posted the security any portion of the security remaining.*

20 **Sec. 15. 1. It is unlawful to release a dangerous wild**
21 **animal from captivity or to intentionally or negligently allow it to**
22 **escape from captivity.**

23 *2. If a dangerous wild animal is released or escapes from*
24 *captivity:*

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

26 *(1) Shall, immediately after receiving knowledge of the*
27 *release or escape, report the release or escape to the animal*
28 *control agency having jurisdiction over the location of the release*
29 *or escape.*

30 *(2) Is liable for all:*

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

33 *(II) Other costs associated with efforts to recapture the*
34 *animal.*

35 *(b) The animal may be captured, seized or destroyed by an*
36 *animal control agency or a law enforcement agency if the agency*
37 *determines that such actions are necessary to protect any life,*
38 *property or other animals in this State.*

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

42 *4. An owner or possessor of a dangerous wild animal who is*
43 *convicted of a violation of subsection 2 is guilty of a misdemeanor.*



1 **Sec. 16.** *The provisions of this chapter do not apply to the*
2 *extent that those provisions conflict with or are otherwise*
3 *inconsistent with the provisions of chapter 574 of NRS.*

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

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

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

14 (b) *May not alter or amend the provisions of section 9 of this*
15 *act.*

16 **Sec. 18.** *Except as otherwise provided in section 15 of this*
17 *act, a person who violates any provision of this chapter is guilty of*
18 *a misdemeanor.*

19 **Sec. 19.** NRS 571.210 is hereby amended to read as follows:

20 571.210 1. Except as otherwise provided in this section,
21 *sections 2 to 18, inclusive, of this act, and any ordinance adopted*
22 *by a county pursuant to section 17 of this act,* a person, or the
23 person's agent or employee may bring into this State any animal not
24 under special quarantine by the State of Nevada, the Federal
25 Government, or the state, territory or district of origin in compliance
26 with regulations adopted by the State Quarantine Officer.

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

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

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

40 (a) Alter a health certificate; or

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



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

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

5 (b) Mule deer (Odocoileus hemionus);

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

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

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

16 **Sec. 20.** NRS 574.615 is hereby amended to read as follows:

17 574.615 1. "Pet" means an animal that is kept by a person
18 primarily for personal enjoyment.

19 2. The term does not include ~~any~~ :

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

21 ~~(a)~~ (1) Hunting;

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

23 ~~(c)~~ (3) Breeding;

24 ~~(d)~~ (4) Drawing heavy loads; or

25 ~~(e)~~ (5) Use as a service animal or a service animal in training,
26 as those terms are defined in NRS 426.097 and 426.099,
27 respectively ~~it~~ ; or

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

29 **Sec. 21.** NRS 575.020 is hereby amended to read as follows:

30 575.020 1. ~~Every~~ Except as otherwise provided in section
31 15 of this act, every person having the care or custody of any animal
32 known to possess any vicious or dangerous tendencies, who allows
33 it to escape or run at large in any place or manner liable to endanger
34 the safety of any person, is guilty of a misdemeanor.

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

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



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

4 **Sec. 22.** NRS 244.359 is hereby amended to read as follows:

5 244.359 1. Each board of county commissioners may enact
6 and enforce an ordinance or ordinances:

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

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

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

14 (d) Prohibiting cruelty to animals.

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

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

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

33 *4. The provisions of this section apply only to the extent that*
34 *they do not conflict with the provisions of sections 2 to 18,*
35 *inclusive, of this act.*

36 **Sec. 23.** NRS 266.325 is hereby amended to read as follows:

37 266.325 1. The city council may:

38 ~~1~~ (a) Fix, impose and collect an annual license fee on all
39 animals and provide for the capture and disposal of all animals on
40 which the license fee is not paid.

41 ~~2~~ (b) Regulate or prohibit the running at large and disposal of
42 all kinds of animals and poultry.

43 ~~3~~ (c) Establish a pound, appoint a poundkeeper and prescribe
44 the poundkeeper's duties.

45 ~~4~~ (d) Prohibit cruelty to animals.



1 **2. The provisions of this section apply only to the extent that**
2 **they do not conflict with the provisions of sections 2 to 18,**
3 **inclusive, of this act.**

4 **Sec. 24.** NRS 278.0177 is hereby amended to read as follows:

5 278.0177 **1.** “Rural preservation neighborhood” means a
6 subdivided or developed area:

7 ~~1-1~~ **(a)** Which consists of 10 or more residential dwelling units;

8 ~~1-2~~ **(b)** Where the outer boundary of each lot that is used for
9 residential purposes is not more than 330 feet from the outer
10 boundary of any other lot that is used for residential purposes;

11 ~~1-3~~ **(c)** Which has no more than two residential dwelling units
12 per acre; and

13 ~~1-4~~ **(d)** Which allows residents to raise or keep animals
14 noncommercially.

15 **2. As used in this section, the term “animal” does not include**
16 **a dangerous wild animal as defined in section 4 of this act.**

17 **Sec. 25.** NRS 501.379 is hereby amended to read as follows:

18 501.379 **1.** Except as otherwise provided in this section ~~1-1~~
19 **and sections 2 to 18, inclusive, of this act:**

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

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

28 **2.** The provisions of this section do not apply to alternative
29 livestock and products made therefrom.

30 **Sec. 26.** NRS 503.590 is hereby amended to read as follows:

31 503.590 **1.** Except as otherwise provided in this section ~~1-1~~
32 **and sections 2 to 18, inclusive, of this act,** a person may maintain a
33 noncommercial collection of legally obtained live wildlife if:

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

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

39 **2.** The Commission may adopt reasonable regulations
40 establishing minimum standards for the fencing or containment of
41 any collection of wildlife.

42 **3.** The provisions of this section do not apply to alternative
43 livestock and products made therefrom.



1 **Sec. 27.** NRS 503.597 is hereby amended to read as follows:

2 503.597 1. Except as otherwise provided in this section ~~†~~
3 *and sections 2 to 18, inclusive, of this act*, it is unlawful, except by
4 the written consent and approval of the Department, for any person
5 at any time to receive, bring or have brought or shipped into this
6 State, or remove from one stream or body of water in this State to
7 any other, or from one portion of the State to any other, or to any
8 other state, any aquatic life or wildlife, or any spawn, eggs or young
9 of any of them.

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

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

20 4. ~~†The~~ *To the extent that such regulations do not conflict*
21 *with the provisions of sections 2 to 18, inclusive, of this act, the*
22 Commission may adopt regulations to prohibit the importation,
23 transportation or possession of any species of wildlife which the
24 Commission deems to be detrimental to the wildlife or the habitat of
25 the wildlife in this State.

26 5. ~~†A~~ *Except as otherwise provided in section 15 of this act, a*
27 person who knowingly or intentionally introduces, causes to be
28 introduced or attempts to introduce an aquatic invasive species or
29 injurious aquatic species into any waters of this State is guilty of:

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

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

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

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

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

43 (c) Restore any habitat destroyed by the aquatic invasive species
44 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. 28.** 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 2 to 18, inclusive, of this act*, or unless
28 otherwise specified by a regulation adopted by the Commission, no
29 person 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~~ *To the extent that such regulations do not conflict*
37 *with the provisions of sections 2 to 18, inclusive, of this act, the*
38 Commission shall adopt regulations for the possession of live
39 wildlife. The regulations must set forth the species of wildlife which
40 may be possessed and propagated, and provide for the inspection by
41 the Department of any related facilities.

42 3. ~~It~~ *Except as otherwise provided in sections 2 to 18,*
43 *inclusive, of this act, in* accordance with the regulations of the
44 Commission, the Department may issue commercial and



- 1 noncommercial licenses for the possession of live wildlife upon
- 2 receipt of the applicable fee.
- 3 4. The provisions of this section do not apply to alternative
- 4 livestock and products made therefrom.
- 5 **Sec. 29.** This act becomes effective on July 1, 2017.

