

## SENATE BILL No. 97

By Committee on Natural Resources

1-28

---

1 AN ACT concerning animals; relating to contact with dangerous regulated  
2 animals; amending K.S.A. 2014 Supp. 32-1301, 32-1306 and 32-1308  
3 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 Supp. 32-1301 is hereby amended to read as  
7 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  
33 regulated animals shall be caged in compliance with the provisions set  
34 forth in K.S.A. 2014 Supp. 32-1306, and amendments thereto.

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

36 (d) "Dangerous regulated animal" means a live or slaughtered parts

1 of:

2 (1) Lions, tigers, ~~leopards~~, jaguars, ~~cheetahs~~ and mountain lions *and*  
3 *leopards, not including clouded leopards*, or any hybrid thereof;

4 (2) bears or any hybrid thereof; and

5 (3) all non-native, venomous snakes.

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

15 (f) "Registered designated handler" means a person who is registered  
16 or would be required to be registered pursuant to K.S.A. 2014 Supp. 32-  
17 1310, and amendments thereto.

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

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

25 Sec. 2. K.S.A. 2014 Supp. 32-1306 is hereby amended to read as  
26 follows: 32-1306. (a) All dangerous regulated animals shall be confined  
27 within a cage of sufficient strength and design for the purposes of  
28 maintaining and housing or transporting the animal. The requirements for  
29 sufficient caging shall be established by rules and regulations adopted by  
30 the secretary of wildlife, parks and tourism. Any cage or confinement  
31 structure shall be constructed in such a manner that prohibits physical  
32 contact with any person other than such persons listed in subsection (d).

33 (b) *To prevent injuries to members of the public, all dangerous*  
34 *regulated animals shall be maintained under strict supervision and*  
35 *control. No dangerous regulated animal shall be ~~allowed to be tethered,~~*  
36 *~~leashed or chained outdoors, or allowed to run at large unsupervised.~~*

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

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

43 (e)(1) A dangerous regulated animal ~~shall not be brought to any~~

1 ~~public property or commercial or retail establishment, except to bring the~~  
2 ~~animal to a licensed veterinarian or veterinarian clinic, not including bears~~  
3 ~~or any hybrid thereof and non-native, venomous snakes, shall be permitted~~  
4 ~~to come into full physical contact with members of the public if such~~  
5 ~~animal weighs 25 pounds or less.~~

6 (2) *A dangerous regulated animal, not including bears or any hybrid*  
7 *thereof and non-native, venomous snakes, shall be permitted incidental*  
8 *physical contact with members of the public if such animal weighs 40*  
9 *pounds or less.*

10 (3) *A dangerous regulated animal may only be used for contact with*  
11 *the public if the exhibitor:*

12 (A) *Evaluates such animal and ensures compatibility with the*  
13 *intended uses of such animal;*

14 (B) *takes reasonable sanitary precautions to minimize the possibility*  
15 *of disease or parasite transmission which could adversely affect the health*  
16 *or welfare of members of the public or wildlife; and*

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

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

23 Sec. 3. K.S.A. 2014 Supp. 32-1308 is hereby amended to read as  
24 follows: 32-1308. Exemptions to the provisions set forth in this act are as  
25 follows:

26 (a) Institutions accredited by the ~~American zoo and aquarium~~  
27 *association of zoos and aquariums* or the zoological association of  
28 America shall be exempt from K.S.A. 2014 Supp. 32-1302 ~~and~~, 32-1303  
29 ~~and 32-1310~~, and amendments thereto.

30 (b) A wildlife sanctuary registered with the local animal control  
31 authority shall be exempt from K.S.A. 2014 Supp. 32-1302, and  
32 amendments thereto.

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

36 (d) A licensed or accredited research or medical institution shall be  
37 exempt from K.S.A. 2014 Supp. 32-1302 and 32-1303, and amendments  
38 thereto.

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

42 Sec. 4. K.S.A. 2014 Supp. 32-1301, 32-1306 and 32-1308 are hereby  
43 repealed.

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