

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 854

2024 Regular Session

Geymann

WILDLIFE & FISHERIES: Provides for exemption to wildlife rehabilitation program rules

Synopsis of Senate Amendments

1. Modifies the requirements for an individual to possess certain sick, injured, or orphaned wildlife while providing care; specifically, limiting possession to no more than ninety days unless the person satisfies wildlife rescuer training and applies for a Special Purpose and Possession permit.
2. Requires the Louisiana Department of Wildlife and Fisheries to issue a Special Purpose and Possession permit authorizing possession of the animal for its natural life if the person completed wildlife rescuer training, applied for the necessary permit, and a Louisiana veterinarian determined the animal is medically non-releasable or adjusted to captivity.
3. Requires animals possessed pursuant to proposed law be spayed and neutered and rabies vector species be microchipped.
4. Prohibits exploitation of wildlife, and prescribes seizure of the animal and revocation of the permit for a violation of proposed law.
5. Requires the Wildlife and Fisheries Commission adopt rules to implement proposed law.
6. Makes technical changes.

DIGEST

Proposed law adds an exemption to the Wildlife Rehabilitation Program rules regarding possession of wildlife. Proposed law provides that, notwithstanding any law or rules to the contrary, an individual may possess in captivity any sick, injured, or orphaned wildlife while providing care for up to 90 days under the following conditions:

- (1) For squirrel, opossum, rabbit or chipmunk, limit of one animal or litter per individual.
- (2) Single raccoon or skunk, upon notification to the La. Dept. of Wildlife and Fisheries (LDWF) and receipt of information on rabies vectors and a list of rehabilitators.
- (3) Possessors held strictly liable for damages to persons or property. Proposed law provides for strict liability for individuals in possession of one of these animals if they cause any damages to persons or property.

Proposed law provides that an individual may possess sick, injured, or orphaned wildlife beyond 90 days under the following conditions:

- (1) The individual satisfies LDWF training requirements, which shall be offered online and provide information on safety, husbandry, and diseases.
- (2) The individual applies for a Special Purpose and Possession permit.
- (3) A La. licensed veterinarian determines the animal is non-releasable or is adjusted to captivity.

Proposed law requires the LDWF to issue the permit where all requirements are met, and the individual will be allowed to possess the animal for the remainder of its life. Further requires that the animal be spayed or neutered, and rabies vector species shall be microchipped.

Proposed law provides that a La. licensed veterinarian is not liable for injury, illness, death, loss, civil penalty, or damage in determining the animal is non-releasable or is adjusted to captivity, except in cases of gross negligence or willful misconduct.

Proposed law prohibits use of any animal possessed under proposed law for exploitation, including promotion, commerce, or pet trade. Further provides that any such use will be grounds for seizure of the animal and revocation of the permit.

Proposed law requires the Wildlife and Fisheries Commission adopt rules to implement proposed law.

(Adds R.S. 56:125.1)