

SB 138	Creates the Nonhuman Primate Act
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Sponsor:	<i>Keaveny</i>		
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Committee:			
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Current Bill Summary

SB 138 - This act creates the Nonhuman Primate Act.

No person in the state may own, keep, breed, or otherwise possess certain non-human primates (baboon, chimpanzee, orangutan, gorilla, etc.) without a permit for such animals issued by the Department of Agriculture. Permits must be sought within 30 days of acquisition of such an animal. Certain organizations are exempt from the act's provisions as listed.

Permit applicants must be at least 21 years of age. The act requires certain information on the permit application to help locate and identify the animal. The department may only issue a permit to a person who meets all of the requirements of the act. Permits are valid for up to 5 years and are renewable. The department may charge reasonable fees for an original permit and a renewal permit. The department may deny anyone a permit, or revoke a permit, if a person fails at any time to meet or comply with the act's requirements. The department may revoke a permit for a non-human primate if a permit holder pleads guilty to or is found guilty of the crime of animal abuse, abandonment, or animal neglect. Denied or revoked permits may be appealed.

Under the act, if a person can no longer care for a non-human primate in his or her possession, the person can transfer the primate to another person who has a valid permit or the person can contact the department or a wildlife sanctuary.

The act lists certain requirements for non-human primates. They shall be spayed or neutered and secured in a vehicle during transport. They shall not be allowed to run loose, mistreated or deprived of basic needs, brought to a public place or place of business, or released or allowed to escape. Owners of non-human primates must have certain signs posted on their property to notify the public of the animal's presence.

Owners of non-human primates must notify law enforcement immediately if the primate escapes and will be responsible for the costs involved in capture. Owners of non-human primates must allow enforcement agents reasonable access to the animal's premises to ensure the animal is being kept in compliance with the act. The department may confiscate any animal not kept in compliance with the act. The animal may be returned to the owner under certain conditions and may not be returned to the owner if the owner has had a primate previously confiscated. The act provides for disposition of a non-human primate if the department cannot return the animal to its owner.

A violation of the act is a Class A misdemeanor, except if a person intentionally releases a non-human primate, which is a Class D felony.

Cities and counties may enact laws that are more restrictive than the requirements of the act.

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