

RÉSUMÉ DIGEST

ACT 740 (HB 854)

2024 Regular Session

Geymann

New law adds an exemption to the Wildlife Rehabilitation Program rules regarding possession of wildlife. New 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. New law provides for strict liability for individuals in possession of one of these animals if they cause any damages to persons or property.

New law authorizes an individual to 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.

New law requires the LDWF to issue the permit if 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.

New 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.

New law prohibits use of any animal possessed under new 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.

New law requires the Wildlife and Fisheries Commission to adopt rules to implement new law.

Effective August 1, 2024.

(Adds R.S. 56:125.1)