

SENATE COMMITTEE AMENDMENTS

2024 Regular Session

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 854 by Representative Geymann

AMENDMENT NO. 1

On page 1, delete lines 10 through 19 in their entirety and on page 2, delete lines 1 through 7 in their entirety and insert the following:

"A. Notwithstanding any local ordinance, administrative rule, or any other provision of law to the contrary, individuals may possess in captivity certain sick, injured, or orphaned wildlife while providing care for such wildlife for a period of up to ninety days as provided for in this Section:

(1) Wildlife included under this Section shall be limited to the following species: squirrel, opossum, rabbit, or chipmunk, with such possession limited to one animal or litter of animals per individual.

(2) A raccoon or skunk that is sick, injured, or orphaned may also be possessed pursuant to the provisions of this Section upon notification to the Department of Wildlife and Fisheries of possession of the wildlife and upon receipt of information regarding rabies vector species and a list of available wildlife rehabilitators.

(3) Individuals in possession of any of these animals shall be held strictly liable for any damages for injuries to persons or property caused by the animal.

B. To continue to possess the wildlife beyond ninety day from finding the sick, injured, or orphaned wildlife all of the following shall occur:

(1) The individual has satisfied wildlife rescuer training requirements. The curriculum shall be offered online and shall cover at a minimum safety considerations, wildlife husbandry requirements, transfer of diseases, and that a person possessing an animal pursuant to this Section is held strictly liable for any damage or injury the animal causes.

(2) The individual applied for a Special Purpose and Possession permit.

(3) A Louisiana licensed veterinarian has determined that the animal is medically non-releasable or exhibits signs of adjusted life in captivity.

C.(1) If the conditions of Subsection (B) of this Section have been met, the Department of Wildlife and Fisheries shall issue a Special Purpose and Possession permit and the individual shall be able to continue to possess the animal for the duration of its natural life.

(2) Any animal possessed pursuant to the provisions of this Section shall be spayed or neutered. Rabies vector species shall also be microchipped by a Louisiana licensed veterinarian.

D. A Louisiana licensed veterinarian shall not be liable to any person for any injury, illness, death, loss, civil penalty, or damage as a result of any act or omission in determining that the animal is medically non-releasable or exhibits signs of adjusted life in captivity as required by the provisions of this Section. However, this limitation of liability shall not be applicable if the damage, injury, or loss was caused by the gross negligence or willful or wanton misconduct of the licensed Louisiana veterinarian.

E. It shall be unlawful for an individual exempted under the provisions of this Section to use the wildlife in any manner for the purposes of exploitation, including for any promotional or commercial purpose, or for the purposes of pet trade. Any such act shall be grounds for seizure of the wildlife by the department and revocation of any issued permit.

F. The Wildlife and Fisheries Commission shall adopt rules pursuant to the Administrative Procedure Act to implement the provisions of this Section."