

Regular Session, 2014

SENATE BILL NO. 251

BY SENATOR WARD

WILDLIFE RESOURCES. Provides for the sale or purchase of wild birds and wild quadrupeds. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 56:116.2, relative to the sale or purchase of wild birds and wild
3 quadrupeds; to provide prohibitions on the sale, purchase, trade, barter, or exchange
4 or attempt to sell, purchase, trade, barter, or exchange of certain wild birds and wild
5 quadrupeds; to provide certain exemptions; to provide terms, conditions, and
6 requirements; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 56:116.2 is hereby amended and reenacted to read as follows:

9 §116.2. Wild birds and wild quadrupeds; sales, purchases of parts prohibited;
10 exceptions

11 A.(1) No person shall sell, ~~or offer to sell, or purchase,~~ **purchase, trade,**
12 **barter, or exchange or attempt to sell, purchase, trade, barter, or exchange** any
13 game quadruped, or any part or portion thereof, wild bird, or the plumage, aigrettes,
14 skin, or body thereof, except as provided in R.S. 56:171 through 181 and except as
15 provided in Subsection B of this Section. Each sale ~~or offer to sell or purchase,~~
16 **purchase, trade, barter, or exchange or attempt to sell, purchase, trade, barter,**
17 **or exchange** of each game quadruped or wild bird, or any part or portion thereof,

1 constitutes a separate offense under the provisions of this Subsection.

2 (2) Violation of the provisions of Paragraph (1) of this Subsection, except
3 for the sale, **purchase, trade, barter, or exchange or attempt to sell, purchase,**
4 **trade, barter, or exchange** of squirrels or wild rabbits or their parts, constitutes a
5 class 5-A violation. If a violation of Paragraph (1) involves the sale ~~or purchase,~~
6 **purchase, trade, barter, or exchange or attempt to sell, purchase, trade, barter,**
7 **or exchange** of squirrels or wild rabbits, or parts or portions thereof, the penalty
8 imposed shall be a class three violation.

9 B. The provisions of Subsection A of this Section shall not prevent the sale,
10 **purchase, trade, barter, or exchange or attempt to sell, purchase, trade, barter,**
11 **or exchange** of tails or hides, or both, of legally taken squirrels or the sale,
12 **purchase, trade, barter, or exchange or the attempt to sell, purchase, trade,**
13 **barter, or exchange** of hides of legally taken deer to licensed fur buyers and
14 licensed fur dealers, provided that the sale, **purchase, trade, barter, or exchange**
15 **or attempt to sell, purchase, trade, barter, or exchange** of any such tails or hides
16 is made within ten days of the close of the squirrel or deer hunting season, as
17 applicable. Fur buyers shall dispose of any such tails or hides within thirty days of
18 the close of the squirrel or deer hunting season, as applicable. Any fur dealer having
19 such tails or hides in his possession after the close of the squirrel or deer hunting
20 season, as applicable, shall file with the department within thirty days of the close
21 of said season, and at sixty-day intervals thereafter, a complete report, under oath,
22 on forms procured from the department. The report shall contain the name and
23 address of all persons from whom the tails or hides were purchased, **traded,**
24 **bartered, or exchanged** and the place and date of purchase, **trade, barter, or**
25 **exchange**. Violation of the provisions of this Subsection constitutes a class three
26 violation.

27 **C. The provisions of this Section shall not apply to deer antlers or to any**
28 **unclaimed specimen left in the possession of a taxidermist, provided that he**
29 **meets the requirements of R.S. 9:192.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by McHenry Lee.

DIGEST

Ward (SB 251)

Present law prohibits any person from selling or offering to sell or purchase any game quadruped, any and part of any wild bird, or the plumage, aigrettes, skin, or body, but makes an exception for persons holding a breeder's license.

Proposed law adds the "trade, barter, exchange or attempt to sell, purchase, trade, barter, or exchange" to the sell prohibition.

Present law provides for violations of present law.

Proposed law adds the "trade, barter, or exchange or attempt to sell, purchase, trade, barter, or exchange" to the violation language.

Present law allows for the sale of tails and hides of legally taken squirrels, legally taken deer licensed for buyers and licensed fur dealers, provided that the sale of any such tails or hides is made within 10 days of the close of the squirrel or deer hunting season.

Proposed law adds the "purchase, trade, barter, or exchange or attempt to sell, purchase, trade, barter, or exchange" language to present law.

Present law requires that any fur dealer having squirrel or deer tails or hides in his possession after the close of squirrel or deer hunting season must file a report with DWF.

Proposed law requires that the report be filed not only for tails or hides purchased but also for the tails or hides traded, bartered, or exchanged.

Proposed law exempts deer antlers or any unclaimed specimen left in the possession of a taxidermist.

Effective August 1, 2014.

(Amends R.S. 56:116.2)