

UAPPEAL


EXOTIC ANIMAL LEGISLATION THAT BECAME LAW IN 2020

ARKANSAS	AGENCY RULE 09-01	Possession Of Certain Wildlife In Captivity Prohibited	Adopted 5/21/2020
AFFECTED: USDA Exhibitors SPECIES: Captive Wildlife CLASSIFICATION: Removes Double Exemption			




Removes exemption for USDA exhibitors for possessing and holding captive wildlife since they are covered elsewhere

ARKANSAS	AGENCY RULE 09-02	Possession Of Non-Native Wildlife In Captivity Restricted	Adopted 5/21/2020
AFFECTED: ALL SPECIES: Non-native wildlife CLASSIFICATION: New Requirements			

- Specifies that captive non-native wildlife must be legally obtained in accordance with section G
- Removes mountain lion permit reference
- Birds must be kept in buildings or covered pens
- Section G – Adds that animals must come from wildlife breeder/dealer, imported or come from the provision that allows 20 permitted wildlife to be sold/transferred a year by residents

ARKANSAS	AGENCY RULE 09-03	Release Of Wildlife Prohibited	Adopted 5/21/2020
AFFECTED: ALL SPECIES:  Quail CLASSIFICATION: "Clarifies" Exemption			

- Considers bird not kept in buildings or covered pens to have escaped from captivity
- For exceptions, changes quail to Northern bobwhite and pheasant to ring-necked pheasant

ARKANSAS	AGENCY RULE 09-07	Wildlife Breeder/Dealer Permit Required	Adopted 5/21/2020
AFFECTED: Sellers, Owners, Transferrers			
SPECIES:  Red/gray fox, coyote  Black-tailed prairie dog  cervids, blackbucks			
CLASSIFICATION: Revises exception			


- Specifies that Live Fox and Coyote Permit required to sell red and gray fox and coyote
- Revises the exception allowing sale and transfer of 20 animals on permitted list for residents to exclude large carnivores, mountain lions, primates, Cervidae, blackbuck antelope and black-tailed prairie dogs

ARKANSAS	AGENCY RULE 09-14	Native Wildlife Pets Restricted		Adopted 5/21/2020
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AFFECTED: Pet Owners SPECIES: Native Species CLASSIFICATION: New Requirement; Permit Extension


- Hand-caught is now extended to include hand-held, manually-operated aids such as tongs and snake hooks
- Captive-born animals may only be acquired from a wildlife breeder/dealer permittee, under the 20 permitted list animals allowed to be sold or transferred without a permit, or from import
- Captive-born birds must be kept in buildings or covered pens
- Extends start of venomous reptile possession permit requirements to 7/1/2021

ARKANSAS	AGENCY RULE 09-15	Falconry Permit Required		Adopted 5/21/2020
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AFFECTED: Falconry SPECIES:  Falcons CLASSIFICATION: Revises program reference

For exemptions for falconry permit, replaces USFWS Special Purpose Permit with USFWS Special Purpose Abatement Permit

ARKANSAS	AGENCY RULE 09-16	Live Fox/Coyote Permit Required		Adopted 5/21/2020
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AFFECTED: ALL SPECIES:  Red/gray fox, coyote CLASSIFICATION: Limit – Sales

Fox and coyote may only be held under a Live Fox and Coyote Permit up to 30 days per animal AND sales are limited to foxpens for Commercial Wildlife Hunting Resort Permit holders

ARKANSAS	AGENCY RULE 09-17	Venomous Reptile Possession Permit Required		Adopted 5/21/2020
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AFFECTED: ALL SPECIES: Venomous reptiles CLASSIFICATION: Extends start date


Extends start of venomous reptile possession permit to 7/1/2021

ARKANSAS	AGENCY RULE 09-18	Conservation Education Permit Required		Adopted 5/21/2020
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AFFECTED: Rehabilitators, Educators SPECIES: Native species CLASSIFICATION: Positive – New Rehab Option


Allows Conservation Education Permit holders to obtain animals from a state Wildlife Rehabilitation Permit holder (currently requires euthanasia)

ARKANSAS	AGENCY RULE 14-01	Taking Of Birds And Eggs Prohibited		Adopted 5/21/2020
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AFFECTED: Takers SPECIES:  Wild birds and eggs CLASSIFICATION: Ban – Take on Additional Species

- Removes exemption for taking red-winged blackbird, common grackle, Brewers blackbird, great-tail grackle, brown headed cow bird, American crow and fish crows
- Expands exemption for migratory birds in accordance with federal law
- Adds exemption for AGFC employees and researchers

ARKANSAS	AGENCY RULE 26-13	Certain Exotic Species Prohibited		Adopted 5/21/2020
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AFFECTED: ALL
SPECIES:  snakehead (Family channidae), walking catfish, stickleback, Mexican banded tetra, piranha, rusty crayfish
CLASSIFICATION: Clarification

Clarifies that the ban on listed species only applies to LIVE ones and that Northern snakehead may be possessed if head is severed

ARKANSAS	AGENCY RULE 29-02	Prohibited Methods For Taking Bullfrogs		Adopted 5/21/2020
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AFFECTED: Live-catchers SPECIES:  bullfrogs CLASSIFICATION: Revises Take Method

Allows legal archery tackle to take bullfrogs instead of long bow and arrow under the archery tackle restrictions

ARKANSAS	AGENCY RULE 34-01	Aquatic Turtle Permit Requirements		Adopted 5/21/2020
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AFFECTED: Commercial propagators and sellers SPECIES:  aquatic turtles CLASSIFICATION: Permit Requirement

Requires a Commercial Fisherman Permit and Sportfishing License, Aquatic Turtle Dealer Permit and Wildlife Import Permit to import aquatic turtles for commercial propagation or sale

ARKANSAS	AGENCY RULE F1.03	Wildlife Breeder/Dealer Permit Requirements		Adopted 5/21/2020
AFFECTED: Breeders, Dealers SPECIES: Newly listed prohibited species in R1.03 CLASSIFICATION: Updates to Match; Other				


- Adds new species being added to R1.03 prohibited list except Oryx to list of species that only existing wildlife breeder/dealer permit holders can sell
- Extends date of limitation on acquiring wildlife other than other permit holders or import to 7/1/2021
- For the 20 days to respond for violations, includes upon conviction or entry of a plea of guilty or nolo contendere for violation of any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals (instead of USFWS violations)

ARKANSAS	AGENCY RULE F1.04	Wildlife Importation Permit Requirements		Adopted 5/21/2020
AFFECTED: Importers SPECIES: Wildlife CLASSIFICATION: Revises Requirement				

- Allows birds from a flock part of NPIP to submit proof of participation to meet testing requirements
- Requires venomous reptiles temporarily imported for exhibition to meet the caging and facility requirements of the venomous reptile possession permit
- Adds disease testing requirement for brindled gnu


ARKANSAS	AGENCY RULE F1.05	Wildlife Rehabilitation Permit Requirements		Adopted 5/21/2020
AFFECTED: Rehabilitators SPECIES: Wildlife CLASSIFICATION: Positive – Animal Rehome				

In lieu of euthanasia, permanently, physically impaired animals may be transferred to a Conservation Education Permit holder if approved by Chief of Wildlife Management

ARKANSAS	AGENCY RULE F1.06	Mountain Lion Permit Requirements		Adopted 5/21/2020
AFFECTED: ALL SPECIES:  Mountain lions CLASSIFICATION: Repeal				

Repeals mountain lion permit requirements

ARKANSAS	AGENCY RULE F1.07	Falconry Permit Requirements		Adopted 5/21/2020
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AFFECTED: Falconry SPECIES:  Falcons CLASSIFICATION: Revises requirements
Revises falconry requirements

ARKANSAS	AGENCY RULE F1.08	Venomous Reptile Possession Permit Requirements		Adopted 5/21/2020
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AFFECTED: ALL SPECIES: Venomous reptiles CLASSIFICATION: Revises Requirements


- Open-topped exhibition areas of venomous reptiles must have warning sign with “Venomous Reptile”
- Requires manifest of common and scientific names of numbers of each venomous reptile species for exhibitions
- Clarifies that requirement to display Venomous reptile and number and type of species in enclosure is for PERMANENT enclosures and exhibition areas
- Permit holders not in compliance will only have 10 days to correct problems instead of 30 days
- For the 20 days to respond for violations, includes upon conviction or entry of a plea of guilty or nolo contendere for violation of any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals (instead of USFWS violations)

ARKANSAS	AGENCY RULE F1.09	Conservation Education Permit Requirements		Adopted 5/21/2020
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AFFECTED: ALL SPECIES: Wildlife CLASSIFICATION: New Requirements

- Requires annual reports to include details of 20 hours of public conservation education using animals
- For the 20 days to respond for violations, includes upon conviction or entry of a plea of guilty or nolo contendere for violation of any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals (instead of USFWS violations)

ARKANSAS	AGENCY RULE R1.01	Unrestricted Captive Wildlife Species List		Adopted 5/21/2020
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AFFECTED: ALL
SPECIES: New Unrestricted:
 Hyacinth/Lear’s/ Glaucous Macaw







Alligator Lizards (Genus Abronia, Elgaria, and Gerrhonotus); Austral-Asian Agamid Lizards (Genus Chlamydosaurus, Hydrosaurus, Intellagama, Pogona); caiman (Genus Dracaena); File snakes (Genus Acrochordus); Tentacle snake; Mata mata; Blue-tongue skinks (Genus Tiliqua); Housesnakes (Genus Lamprophis); Madagascar hognose snakes (Genus Leioheterodon)


CLASSIFICATION: Positive – Legalizes species

New species have been added to the unrestricted captive wildlife list


ARKANSAS	AGENCY RULE R1.01	Unrestricted Captive Wildlife Species List	Effective 7/9/2020	Adopted 6/18/2020
<p>AFFECTED: ALL SPECIES: <u>New Unrestricted:</u>  :</p> <ol style="list-style-type: none"> 1. Iguanine Lizards: Basilisks (Basiliscus), spiny-tailed iguanas (Ctenosaura), rock iguanas (Cyclura), Iguanas (Iguana) 2. Lacertid Lizards (Gastropholis, Latastia, Timon) 3. Night Lizards (Lepidophyma, Xantusia) 4. Asian vinesnakes (Ahaetulla) 5. Nonnative New World Colubrids (Bogertophis, Drymarchon, Drymobius, Lampropeltis, Pantherophis, Phrynonax, Pituophis, Pseudelaphe, Senticolis, Spilotes) 6. Asian cat-eyed snakes (Boiga) 7. Egg-eating snakes (Dasypeltis) 8. Nonnative Eurasian ratsnakes (Archelaphe, Elaphe, Euprepiophis, Gonyosoma, Oreocryptophis, Zamenis) 9. Nonnative hognose and South American watersnakes (Heterodon, Hydrodynastes) 10. Nonnative North American watersnakes (Nerodia) 11. Boa constrictors 12. Tortoises (Agrionemys, Aldabrachelys, Chelonoidis, Centrochelys, Geochelone, Gopherus, Indotestudo, Manouria, Psuedotestudo, Stigmochelys, Testudo) 13. Eublepharine Geckos (Coleonyx, Eublepharis, Goniurosaurus, Hemitheconyx) 14. Tegu (Salvator) <p>CLASSIFICATION: Positive – Legalizes species</p> <p>New species have been added to the unrestricted captive wildlife list</p>				

ARKANSAS	AGENCY RULE R1.02	Permitted Captive Wildlife Species List		Adopted 5/21/2020
<p>AFFECTED: ALL</p> <p>SPECIES: <u>New Permitted:</u></p> <p>All native species not in unrestricted wildlife or prohibited wildlife lists</p> <p> chukar, ring-necked pheasants, white-necked raven, pied crow, ostrich</p> <p> Arctic fox</p> <p> Grévy's, plains, and mountains zebra, water buffalo, addax, brindled gnu, gaur, Gerenuk, Himalayan tahr goat, impala</p> <p> tamarins, black-tufted marmoset, Geoffroy's marmoset</p> <p>CLASSIFICATION: Permit – New Species</p>				

Adds several species to the permitted wildlife list that are legal to possess and breed with a permit

ARKANSAS	AGENCY RULE R1.02	Permitted Captive Wildlife Species List	Effective 7/9/2020	Adopted 6/18/2020
<p>AFFECTED: ALL</p> <p>SPECIES: <u>Removed Permitted:</u></p> <p> boa constrictor</p> <p>CLASSIFICATION: Positive – Removes Permit Requirement</p>				

Removes boa constrictor from the permitted wildlife list and moves them to the unrestricted list

ARKANSAS	AGENCY RULE R1.03	Prohibited Captive Wildlife Species List		Adopted 5/21/2020
<p>AFFECTED: ALL</p> <p>SPECIES: <u>New Prohibited:</u></p> <p> Capybara</p>				



Nilgai, aoudad sheep, oryx, kudu, lechwe, ibex, hippo, warthog, rhino



jaguar, leopard, snow leopard




Newts and salamanders (Family Salamandridae); reticulated, Burmese and rock pythons

CLASSIFICATION: Ban – New Species

Adds several species to the prohibited list that may not be possessed, bred or sold except those on 11/21/19

FLORIDA	S 1414	Fish and Wildlife Activities		Adopted 5/21/2020
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AFFECTED: All except researchers, educators, eradicators, control, certain exhibitors and sellers

SPECIES:  Green iguana, tegu (Salvator/Tupinambis); Nile monitor, green anaconda, Burmese python, reticulated python, Northern and Southern African Rock pythons, Amethystine

CLASSIFICATION: Ban – Possess, Import, Sale, Breeding


- Adds green iguanas and tegus to the list of reptiles that cannot be possessed, imported, sold or bred
- Exempts 2019 captive wildlife Class III exhibition and sale permit holders for commercial dealings while license is active if sold out-of-state and not imported
- Changes entire list of prohibited reptiles from banning personal use to banning except for educational or research or eradication or control purposes
- Reenacts priority invasive species law
- Requires commission to adopt rules regarding reporting requirements, biosecurity measures to prevent escape and grandfathering for those not covered

IDAHO	SB 1294	DOMESTIC CERVIDAE	Effective 7/1/2020	Signed into law 3/27/2020
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AFFECTED: ALL SPECIES:  domestic cervid CLASSIFICATION: Revises Requirements

Removes requirement to pay fees for domestic cervids that die during year AND requires seller to pay fees when ownership is transferred within state

IDAHO	Agency Rule 13-0110-1901	Ban the import of live mule deer, white-tailed deer, moose and wild-origin elk.	Effective 3/20/2020	Adopted
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AFFECTED: Importers, Exporters, Sellers SPECIES:  Nondomestic cervid CLASSIFICATION: Ban – Import, Export, Sale
Prohibits issuing permits for import, export and sale of all cervids not considered domestic by Department of Agriculture

KENTUCKY	Agency Rule 301 KAR 2:195	Falconry, raptor take, and raptor propagation	Effective 6/30/2020	Adopted
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AFFECTED: Falconers SPECIES:  passage Tundrius peregrine falcon CLASSIFICATION: Legalizes take
Allow 1 non-transferable permit issued via online draw or lottery for resident master class to take passage Tundrius peregrine falcons from areas outside nesting areas and where cliff-nesting may expand – those granted may not enter drawing again for 3 years – violators will have falconry permit revoked


MAINE	SP 705 Chapter 652	An Act Regarding Permits To Possess Wildlife in Captivity	Effective Immediately	Signed into law 3/18/20
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AFFECTED: ALL SPECIES: Captive Wildlife CLASSIFICATION: Revises Law
Allows commissioner to issue notice of corrective action that states failure to comply with permit requirements may result in denial of future permits to those who failed to get a permit and were granted one

MAINE	Agency Rule Chapter 7	Rules for Importation, Possession, Propagation, Rehabilitation and Exhibition of Wildlife (Agritourism)		Adopted 2/4/2020
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AFFECTED: Agritourism SPECIES: Captive Wildlife CLASSIFICATION: Maintains agency authority
Makes exotic wildlife exhibited by agritourism to continue to be under DIFW

NEBRASKA	Agency Rule 163-04	AMENDMENTS: General Regulations Governing Wildlife Species, regarding guidance for issuance of Raptor Permits.		Adopted 2/4/2020
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AFFECTED: Falconers SPECIES:  raptors CLASSIFICATION: New Permit
Creates Raptor Permit for wildlife abatement which allows the flushing, hazing or taking of birds or other wildlife that poses a risk to human health or safety, requires USFWS Federal Abatement Permit and all reports sent to them to be sent to state commission, limits it to master class falconry and allows unlimited number of captive-bred raptors for it

NEW MEXICO	SB 75 Chapter 77	WILDLIFE TRAFFICKING ACT	Effective 7/1/2020	Signed into law 3/9/2020
<p>AFFECTED: All except:</p> <ul style="list-style-type: none"> • holders of antiques, guns, musical instruments • Indian tribes, • distribution to education or scientific institution, • noncommercial transfer of estate, • those authorized by CITES, federal and state law • law enforcement <p>SPECIES: Covered Animal Species = Elephant, lion, rhino or other CITES I species CLASSIFICATION: Ban – Sale, Purchase</p>				










Bans purchase or sale of covered animal species and parts – Penalty is greater of \$10,000 or 3x value of animal

NORTH CAROLINA	AGENCY RULE Inland Fishing F-25 15A NCAC 10C.0211	Possession of Certain Fishes		Adopted 2/27/20
<p>AFFECTED: All SPECIES:  redbtail catfish CLASSIFICATION: Ban – Transport, Purchase, Sell, Possess, Stock</p>				

Adds redbtail catfish to list of live fish for which it is prohibited to transport, purchase, sell, possess or stock

SOUTH DAKOTA	HB 1033	provide for the prevention of aquatic invasive species contamination in public waters and to declare an emergency.	Effective Immediately	Signed into law 2/26/20
<p>AFFECTED: All SPECIES: Aquatic invasive species = nonnative species that may cause economic or environmental harm CLASSIFICATION: Ban – Possess, Import, Ship, Transport</p>				

Bans possess, import, ship and transport of aquatic invasive species except as allowed by rule




TEXAS	Agency Rule §65.175	Threatened Species		Adopted 1/23/2020
<p>AFFECTED: All</p> <p>SPECIES:</p> <p><u>Threatened - Add:</u></p> <p> black rail, red-crowned parrot, rufa red knot</p> <p> oceanic whitetip, great hammerhead, shortfin mako, headwater catfish, red river pupfish, Guadalupe darter; Shiners: Tamaulipas, Rio Grande, chub, plateau; Chubs: speckled, prairie, Arkansas River speckled; minnows: roundnose, Medina, Nueces</p> <p> Salamanders: Salado Springs, Georgetown, Texas, Jollyville Plateau</p> <p> Tawny-bellied cotton rat</p> <p>-West Indian manatee</p> <p>-Snails: Carolinae Tryonia, Caroline’s Springs Pyrg, crowned cavesnail, Limpia Creek spring, Metcalf’s Tryonia, Presidio County Spring</p> <p>-Mussels: Trinity pigtoe, Guadalupe orb, Guadalupe fatmucket, Brazos heelsplitter</p> <p>-Other: Clear Creek Amphipod, Texas troglobitic water slater</p> <p><u>Threatened - Remove:</u></p> <p> bald eagle</p> <p> opossum pipefish</p> <p> reticulated gecko, reticulate collared lizard, timber rattlesnake, Texas indigo snake, smooth green snake, Chihuahuan desert lyre</p> <p>-Southern yellow bat</p> <p>-Mussels: golden orb, smooth pimpleback, Texas hornshell (E), triangle pigtoe</p> <p><u>Endangered Removed:</u>  black-capped vireo</p> <p>-West Indian manatee (T)</p> <p>-Humpback whale</p> <p><u>Endangered Add:</u></p> <p> Mexican blindcat, sharpnose shiner, smalleye shiner</p> <p>-Whales: Blue, Gulf of Mexico Bryde’s, North Atlantic Right, sei, sperm</p> <p>Invertebrates: Texas hornshell</p>				

CLASSIFICATION: Relisting


Adds and removes various species to threatened and endangered lists

TEXAS	Agency Rule §65.331	Commercial Nongame Permits	Effective 3/20/2020	Adopted 1/23/2020
AFFECTED: Commercial Entities SPECIES: reticulated gecko, reticulate collared lizard, timber rattlesnake, Texas indigo snake, smooth green snake, Chihuahuan desert lyre CLASSIFICATION: Ban – Commercial Activity				

Proposes to add the 6 listed reptiles to the protected nongame list for which commercial activity is prohibited due to proposed delisting from threatened list (see related rule)

VIRGINIA	SB 1030 Chapter 632	Dangerous captive animal exhibits; definitions, penalty, effective date.	Effective 7/1/21	Signed into law 4/2/2020
AFFECTED: Keepers = anyone who owns or has custody or control over a dangerous captive animal SPECIES: Dangerous captive animal:  bear  cougar, jaguar, leopard except clouded leopard, lion, tiger, hybrid  nonhuman primate CLASSIFICATION: Ban – Direct Contact				

Bans keepers from providing or offering to provide members of the public with direct contact with dangerous captive animals – penalty is Class 3 misdemeanor with \$500 fine

WEST VIRGINIA	HB 4243/SB 467 SB 449 Chapter 209	DNR rule relating to falconry	Effective Immediately	Signed into law 3/5/2020
AFFECTED: Falconers SPECIES:  falcons CLASSIFICATION: Adopts Rules				

Adopts DNR falconry rule

Updated 7/17/2020