

Senate Bill 310
Exotic Animal Bill
March 9, 2012

Line No.	Description
24-25	Prohibits elephant rides (no physical contact between public and animal)
26-27	Restricts commerce (limits circus to 45 days in Ohio)
28-57	List of dangerous wild animals
40-50	Animals added after the Zanesville incident that were not recommended by the Task Force prior to Zanesville:
40-41	Lynx
43-44	Caracals and Servals
46-50	Elephants, Rhinoceroses, Hippopotamuses; Cape Buffalo and African wild dogs
58-77	Smaller/new world monkeys (not designated as “dangerous wild animals” but subject to new permit requirements)
121-138	“Wildlife sanctuary” defined as federal nonprofit accredited/verified by GFAS (Global Federation of Animal Sanctuaries). GFAS is a private corporation that is also an animal rights HSUS front. (See http://www.sanctuaryfederation.org/gfas/about-gfas/). GFAS opposes animal “exploitation” and is staffed primarily by animal rights activists.
131-132	Entertainment/traveling exhibit prohibited
133-134	Sale/trade/barter prohibited
135	Any profit prohibited
136	All breeding prohibited
137-138	All public contact prohibited (no photo ops)
150-153	USDA facilities are not exempt unless they are also an accredited member of AZA or ZAA which are both private corporations .
164	The “wildlife sanctuary” exemption is not an exemption. See lines 121-138 above.
174-181	The exemption for a sports mascot (written for “Obie” in Massillon) is not an exemption. It requires that all the Obie’s go to facilities that are an accredited member of AZA or ZAA (both are private corporations), not USDA.
227-234	Mandatory microchip of all dangerous wild animals
Conditions of “wildlife shelter” permit:	
271-277	Mandatory 2-yr experience — who determines what constitutes proof?
289-296	Annual license fees for “wildlife shelter” (non-propagating) permit:
291-292	\$500 for up to 3 dangerous wild animals
293-294	\$1,000 for 4-15 dangerous wild animals
295-296	\$2,000 for 16 or more dangerous wild animals
297-308	Mandatory liability insurance for “wildlife shelter” permit:
303-304	\$250,000 for up to 5 dangerous wild animals
305-306	\$500,000 for 6-15 dangerous wild animals
307-308	\$1,000,000 for 16 or more dangerous wild animals
321-322	Mandatory neuter of all male dangerous wild animals on “wildlife shelter” permit
323-327	For the smaller monkeys, USDA license is required in order to get a “wildlife shelter” permit.

USDA does not typically issue licenses for non-commercial owners, so this is a catch-22. If you can't get the USDA license, you can't keep the monkey. If this is intended to "grandfather" existing animals, it doesn't.

- 328-330 No physical contact allowed between dangerous wild animals and members of the public.
- 338-342 Minimum 1 acre required for "wildlife shelter" housing dangerous wild animals. Minimum acreage does not apply to the smaller monkeys. (They have minimum cage sizes specified later in the bill.) Minimum acreage does apply to Servals, alligators and crocodiles, caiman, etc.
- 373-375 If "wildlife shelter" permit is denied, ODA keeps the permit application fee. No refund.
- 376-388 Renewal fees are same amount as original application fees.
- 386-388 If renewal application denied, ODA keeps the fee. No refund.
- 393-405 If permit/renewal denied, owner must transfer dangerous wild animal to a humane society, GFAS approved sanctuary, or facility that's an accredited member of AZA or ZAA (both are private corporations). No indication/provision for what happens to the animals if none of these facilities will take them.

Conditions of "wildlife propagation" permit:

- 425-433 Propagators must propagate solely for purposes of a "species survival program" established in rules that have yet to be drafted.

Annual license fees for "wildlife propagation" permit:

- 439-440 \$1,000 for up to 50 dangerous wild animals
441-442 \$3,000 for more than 50 dangerous wild animals

- 443-448 Minimum 2 acres required for "wildlife propagation" facility housing dangerous wild animals. Minimum acreage does not apply to the smaller monkeys. (They have minimum cage sizes specified later in the bill.) Minimum acreage does apply to Servals, alligators and crocodiles, caiman, etc.

Conditions of "restricted snake possession" (non-propagating) permit:

- 458-462 Can acquire new restricted snakes with permit but cannot breed/sell/transfer
- 480-482 and 518-524 Mandatory liability insurance for "restricted snake possession" permits (does not include boa constrictors):
- 518-519 \$100,000 for up to 5 restricted snakes
520-522 \$250,000 for 6-15 restricted snakes
523-524 \$500,000 for 16 or more restricted snakes
- 483-491 Mandatory 2-yr experience for all restricted snakes except constricting snakes—who determines what constitutes proof?
- 529-534 Mandatory liability insurance for "restricted snake possession" permits (boa constrictors only):
- 529-530 \$5,000 for up to 5 constricting snakes
531-532 \$10,000 for 6-15 constricting snakes
533-534 \$15,000 for 16 or more constricting snakes

Annual license fees for "restricted snake possession" permit:

- 505-506 \$100 for up to 3 restricted snakes
507-508 \$300 for 4-15 restricted snakes
509-510 \$500 for 16 or more restricted snakes

- 581-583 If “restricted snake possession” permit application denied, ODA keeps the fee. No refund.
- 594-596 If renewal application denied, ODA keeps the fee. No refund.
- 601-613 If permit/renewal denied, owner must transfer restricted snakes to a humane society, GFAS approved sanctuary, or facility that’s an accredited member of AZA or ZAA (both are private corporations). No indication/provision for what happens to the animals if none of these facilities will take them.

Conditions of “restricted snake propagation” permit:

- 646-651 Applicants for “restricted snake propagation” permit must meet all the requirements for the “restricted snake possession permit” plus they must intend to propagate.
- 652-657 Annual license fees for “restricted snake propagation” permit:
- 652-653 \$200 for up to 3 restricted snakes
 654-655 \$600 for 4-15 restricted snakes
 656-657 \$1,000 for 16 or more restricted snakes

Permits for owners of both dangerous wild animals and restricted snakes:

- 661-665 Owners of at least one dangerous wild animal and at least one restricted snake and who do not intend to propagate either, must apply for both a “wildlife shelter” permit and a “restricted snake possession” permit.
- 666-673 Owners of at least one dangerous wild animal who intends to propagate and at least one restricted snake and intends to propagate must obtain both a “wildlife propagation” permit and a “restricted snake propagation” permit.
- 674-680 Owners of at least one dangerous wild animal who does not intend to propagate, and at least one restricted snake and does intend to propagate, must obtain both a “wildlife shelter” permit and a “restricted snake propagation” permit.
- 681-688 Owners of at least one dangerous wild animal who intends to propagate and at least one restricted snake and does not intend to propagate must obtain both a “wildlife propagation” permit and a “restricted snake possession” permit.

Care and housing:

- 694-699 Owners of the smaller monkeys must meet USDA’s standards. In addition, they must meet minimum cage sizes as follows:
- 700-704 Tamarins and marmosets: minimum 9 sq ft
 705-709 Squirrel monkeys: minimum 24 sq ft
 710-714 Capuccins and spider monkeys: minimum 32 sq ft
- 715-719 Owners of restricted snakes must meet ZAA’s care and housing requirements.
- 824-848 In adopting rules for care and well-being of animals held under a “wildlife shelter” or a “wildlife propagation” permit, ODA must consider standards adopted by AZA, ZAA, USDA and AVMA as well as other best management practices, etc.

Species Survival Program:

- 853-856 ODA must adopt rules on what constitutes a “species survival program”.

Examination for “wildlife shelter”, “wildlife propagation”, “restricted snake possession, and “restricted snake propagation” permits:

- 857-862 and 870-875 ODA must adopt rules concerning content of examination to test applicant's knowledge of proper diet, health care, exercise needs, and housing (examination required if applicant is unable to provide proof of 2 yrs’ experience)

- 891-894 No dangerous wild animals or restricted snakes (other than constrictor snakes) can be sold at auction.
- 901-911 Signage required for all dangerous wild animals and all restricted snakes
- 917-919 Declawing and removal of teeth from any dangerous wild animal or restricted snake is prohibited unless medically necessary as determined by a veterinarian.
- 922-934 ODA or ODA's designee may enter **with owner's consent** at all reasonable times any premises where dangerous wild animals or restricted snakes are confined. Without owner's consent, they must bring a search warrant.
- 935-941 Probable cause for search warrant may be based on hearsay.
- 951-953 Humane Society agents may be designated by ODA to conduct inspections. (Currently, humane agents are not required to be trained in the care of dangerous wild animals or restricted snakes. How can they inspect if they're not properly trained?)
- 973-980 ODA will maintain a list of facilities where dangerous wild animals or restricted snakes may be transferred. What happens if none of them will take the animals?
- 1014-1021 Animals infected with or exposed to dangerously contagious or infectious disease as determined by the State Veterinarian may be euthanized by a veterinarian if medically necessary. No compensation to owner.
- 1033-1054 Procedures for confiscating and disposing of animals possessed after 1/1/2014 without a permit or not in accordance with rules. It must go through the court and the court will either order the animals seized or returned, and if seized, will order the method of disposition.
- 1066-1068 Humane Society agents may be designated by ODA to investigate and order the quarantine or transfer of dangerous wild animals or restricted snakes possessed without a permit after 1/1/2014 or not in accordance with rules. (Currently, humane agents are not required to be trained in the care of dangerous wild animals or restricted snakes. How can they determine if the animals are being kept in accordance with the care standards if they're not properly trained?)
- 1090-1094 Special fund set up for use by the county humane society in inspecting/enforcing, etc.
- 1100-1103 ODA will maintain a list of facilities where confiscated dangerous wild animals and restricted snakes may be transferred. This differs from the facilities where owners can transfer their animals if permit application or renewal is denied ((See lines 393-405 and 601-613 above).
- 1111-1116 State agencies and political subdivisions who destroy a dangerous wild animal or restricted snake that is a threat to public safety are not liable for damages.
- 1135-1137 ODA may also assess civil penalties against anyone not in compliance. Amount of the penalties will be established by rule.
- 1150-1152 If ODA requests it, Attorney General must bring criminal charges against anyone violating any of the permit requirements, rules, etc.
- 1178-1181 Facilities on ODA's "list" to be compensated for accepting dangerous wild animals or restricted snakes transferred to them due to a confiscation and transfer by ODA. (If transferred by owner due to denied permit/renewal, there's no provision for facility to be compensated.)
- 1184-1211 Dangerous and Restricted Animals Advisory Board consisting of:
ODA Director or his designee, who will be the Chairperson
ODNR Director or his designee
Ohio Dept of Health Director or designee
State Veterinarian
10 members appointed by Governor: (The bill says 10 but lists 12)
 One member representing dangerous wild animal or restricted snake owners
 One member knowledgeable about dangerous wild animals or restricted snakes
 One member representing AZA facility

1265-1295	<p>One member representing ZAA facility 2 veterinarians 2 members of the public One member representing the Governor One member representing a humane society One member who is a restricted snake owner, appointed by House Speaker One member who is a dangerous wild animal owner, appointed by Senate President Board meets at least 3 times/yr and possibly more, no compensation other than reimbursement of expenses. Board can create committees to make recommendations to the Board, committees may include members who do not serve on the Board. Board will review proposed rules and advise ODA Director on the administration of rules, permit requirements, etc.</p>
1296-1299	Criminal penalties for signage, declawing/defanging, removing microchip = 1 st degree misdemeanor for first offense, 5 th degree felony for each subsequent offense.
1300-1301	Criminal penalties for releasing dangerous wild animals or restricted snakes = 5 th degree felony.
1359-1361	Division of Wildlife will no longer issue any permits for bears or restricted snakes.

prepared by Ohio Association of Animal Owners
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Note: This analysis does not constitute a complete listing of all problem areas in the bill. It is intended as an overview for our members, to clarify how the legislation will affect them.