

HOUSE BILL 3554

By Ferguson

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 63, Part 2; Title 63, Chapter 12, Part 1 and Title 70, Chapter 4, Part 4, relative to the regulation of Class I wildlife.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 70-4-409, is amended by designating the existing language as subsection (a) and by adding the following as new subsections:

(b)

(1) In addition to the authority granted to the wildlife resource agency in subsection (a), any person possessing live wildlife in Class I shall, during normal business hours and at all reasonable times, and without the necessity of a search warrant, allow a representative of a certified animal control agency located in the county in which the person possessing such wildlife resides to inspect all animals, facilities and records relating to such animals for the purpose of ensuring compliance with this part.

(2)

(A) A certified animal control agency representative who determines that a violation of this part has occurred shall file a written report of such violation with the wildlife resources agency, in a manner to be prescribed by the wildlife resources commission.

(B) Upon a review of the written report filed by the certified animal control agency, the wildlife resources agency shall act in accordance with the authority granted in § 70-4-415.

(c) Subsection (b) shall not apply in any county having a population of not less than eleven thousand three hundred (11,300) nor more than eleven thousand three hundred sixty-eight (11,368), according to the 2000 federal census or any subsequent federal census.

SECTION 2. The commission, in consultation with the Animal Control Association of Tennessee, shall promulgate rules and regulations to prescribe training guidelines for animal control agency representatives, and to effectuate all other purposes of this act, as necessary. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.