

GREEN SHEET REDIGEST

HB 854

2024 Regular Session

Geymann

**WILDLIFE & FISHERIES: Provides for exemption to wildlife rehabilitation program rules.**

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DIGEST

Proposed law adds an exemption to the Wildlife Rehabilitation Program rules regarding possession of wildlife. Proposed law provides that, notwithstanding any law or rules to the contrary, an individual may possess in captivity any sick, injured, or orphaned wildlife while providing care for up to 90 days under the following conditions:

- (1) For squirrel, opossum, rabbit or chipmunk, limit of one animal or litter per individual.
- (2) Single raccoon or skunk, upon notification of LDWF and receipt of information on rabies vectors and a list of rehabilitators.
- (3) Possessors held strictly liable for damages to persons or property. Proposed law provides for strict liability for individuals in possession of one of these animals if they cause any damages to persons or property.

Proposed law provides that an individual may possess sick, injured, or orphaned wildlife beyond 90 days under the following conditions:

- (1) The individual satisfies LDWF training requirements, which shall be offered online and provide information on safety, husbandry, and diseases.
- (2) The individual applies for a Special Purpose and Possession permit.
- (3) A Louisiana licensed veterinarian determines the animal is non-releasable or is adjusted to captivity.

Proposed law requires LDWF to issue the permit where all requirements are met, and the individual shall be allowed to possess the animal for the remainder of its life. Further requires that the animal shall be spayed or neutered, and rabies vector species shall be microchipped.

Proposed law provides that a Louisiana licensed veterinarian is not liable for injury, illness, death, loss, civil penalty, or damage in determining the animal is non-releasable or is adjusted to captivity, except in cases of gross negligence or willful misconduct.

Proposed law prohibits use of any animal possessed under proposed law for exploitation, including promotion, commerce, or pet trade. Further provides that any such use shall be grounds for seizure of the animal and revocation of the permit.

(Adds R.S. 56:125.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

- 1. Specify that proposed law supercedes any existing local ordinance, administrative rule, or any other provision of law to the contrary.
- 2. Make a technical change.

The House Floor Amendments to the engrossed bill:

1. Remove the requirement that an animal pose minimum zoonotic potential from the Wildlife Program Rehabilitation exemption requirements.
2. Specify that a licensed Louisiana veterinarian is not liable 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 nonreleasable or exhibits signs of adjusted life in captivity.
3. Specify that the limitation of liability is not applicable if the damage, injury, or loss was caused by the gross negligence or willful or wanton misconduct of the licensed Louisiana veterinarian.
4. Make technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Natural Resources to the reengrossed bill

1. Provide requirements for an individual to possess certain sick, injured, or orphaned wildlife while providing care.
2. Require LDWF to issue a Special Purpose and Possession permit in certain circumstances.
3. Add a limitation of liability for veterinarians in determining an animal is non-releasable or adjusted to captivity.
4. Prohibit exploitation of wildlife.