AN ACT concerning public health and safety; relating to dangerous regulated animals; amending K.S.A. 2018 Supp. 32-1301, 32-1302, 32-1303, 32-1306 and 32-1308 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:
Section 1. K.S.A. 2018 Supp. 32-1301 is hereby amended to read as follows:
(a) "Person" means any individual, firm, partnership, corporation, association, municipality or other business entity.
(b) "Wildlife sanctuary" means a not-for-profit organization exempt from federal income taxation pursuant to section 501 (c)(3) of the internal revenue code of 1986, as in effect on July 1, 2006, that:
(1) Operates a place of refuge where abused, neglected, unwanted, impounded, abandoned, orphaned or displaced dangerous regulated animals are provided care for such animal's lifetime;
(2) does not conduct any commercial activity with respect to any dangerous regulated animal possessed by the organization;
(3) does not sell, trade, auction, lease or loan dangerous regulated animals, or parts thereof, which that the organization possesses;
(4) does not breed any dangerous regulated animal of which that the organization possesses, except as an integral part of the species survival plan of the American zoo and aquarium association;
(5) does not conduct any activity that is not inherent to the dangerous regulated animal's nature;
(6) does not use the dangerous regulated animal for any type of entertainment purposes; and
(7) operates a refuge in compliance with regulations promulgated by the United States department of agriculture for dangerous regulated animals, except non-native, venomous snakes, under the animal welfare act, public law 89-544 7 U.S.C. § 2133 et seq., as amended and in effect on July 1, 2006, and the regulations and standards adopted under such act in effect on July 1, 2006, relating to operations, animal health and husbandry. All dangerous regulated animals shall be caged in compliance with the provisions set forth in K.S.A. 2018 Supp. 32-1306, and amendments thereto.
(c) "Possess" means to own, care for, have custody of or control.
(d) "Dangerous regulated animal" means a live or slaughtered part of:

1. Lions, tigers, leopards, jaguars, cheetahs and mountain lions, or any hybrid thereof;
2. Bears or any hybrid thereof; and
3. Nonhuman primates;
4. Wolves, excluding any hybrid thereof; and
5. All non-native, venomous snakes.

(e) "Local animal control authority" means an agency of the county or city that is responsible for animal control operations in such governmental entity's jurisdiction and includes the animal control officer, as defined by K.S.A. 47-1701, and amendments thereto, of such county or city. If the county or city does not have an animal control officer, for cities of the first class, the chief law enforcement officer shall have the local animal control authority duties and responsibilities pursuant to this act and for all other cities and counties, the county sheriff shall have the local animal control authority duties and responsibilities pursuant to this act.

(f) "Registered designated handler" means a person who is registered or would be required to be registered pursuant to K.S.A. 2018 Supp. 32-1310, and amendments thereto.

Sec. 2. K.S.A. 2018 Supp. 32-1302 is hereby amended to read as follows: 32-1302. (a) Except as provided in this section, it is unlawful for a person to possess, slaughter, sell, purchase or otherwise acquire a dangerous regulated animal or to possess, sell, purchase or otherwise acquire any part of a slaughtered dangerous regulated animal.

(b) On and after October 1, 2006, any person who possesses a dangerous regulated animal shall be in compliance with regulations promulgated by the United States department of agriculture for dangerous regulated animals, except non-native, venomous snakes, under the animal welfare act, public law 89-544, 7 U.S.C. § 2133 et seq., as amended and in effect on July 1, 2006, and the regulations and standards adopted under such act in effect on July 1, 2006, relating to operations, animal health and husbandry; and to provide adequate veterinary care for dangerous regulated animals. All dangerous regulated animals shall be caged in compliance with the provisions set forth in K.S.A. 2018 Supp. 32-1306, and amendments thereto.

(c) Except as provided in subsection (d), a person shall not take possession of a dangerous regulated animal or allow dangerous regulated animals in such person's possession to breed.

(d) A person who possesses a valid United States department of agriculture license; is in compliance with the United States department of agriculture animal welfare act, regulations and standards on July 1, 2006; and, within 10 years preceding July 1, 2006, 7 U.S.C. § 2133 et seq., as in
effect on October 1, 2019, and any rules and regulations promulgated thereunder, as in effect on October 1, 2019; and has not been convicted of a felony under the laws of Kansas or a crime under a law of another jurisdiction which is substantially the same as a felony, may breed, purchase or otherwise acquire new dangerous regulated animals after July 1, 2006, in order to:

(1) Maintain the operating inventory of dangerous regulated animals possessed on July 1, 2006;

(2) sell dangerous regulated animals to other United States department of agriculture licensed and compliant facilities within Kansas for replacement purposes as provided in paragraph (1); and

(3) sell dangerous regulated animals outside Kansas.

Sec. 3. K.S.A. 2018 Supp. 32-1303 is hereby amended to read as follows: 32-1303. (a) On and after September 1, 2006, a person who possesses a dangerous regulated animal shall notify, in writing, and register the dangerous regulated animal with the local animal control authority.

(b) The notification shall include the person's name, address, telephone number and a complete inventory of each dangerous regulated animal that the person possesses. The inventory shall include the following information: Number and species of each dangerous regulated animal; the microchip identification number and manufacturer of such microchip for each dangerous regulated animal, if available; the exact location where each dangerous regulated animal is kept; the age, sex, color, weight, scars and any distinguishing marks of each dangerous regulated animal; and the name of any person who is a registered designated handler.

(c) When a person who possesses a dangerous regulated animal has a microchip implanted in such animal for identification, the name of the microchip manufacturer and the microchip identification number shall be provided to the local animal control authority. If a dangerous regulated animal is sedated for any reason and such animal does not have a microchip implanted, a microchip shall be implanted in such animal. Within 30 days after the microchip is implanted, the name of the microchip manufacturer and the microchip identification number shall be provided to the local animal control authority. Within 30 days of acquisition, a person acquiring ownership of an offspring with a microchip implanted shall comply with microchip information reporting requirements of this subsection.

(d) A local animal control authority may inspect the premises where dangerous regulated animals are physically located.

Sec. 4. K.S.A. 2018 Supp. 32-1306 is hereby amended to read as follows: 32-1306. (a) All dangerous regulated animals shall be confined within a cage of sufficient strength and design for the purposes of
maintaining and housing or transporting the animal. The requirements for
sufficient caging shall be established by rules and regulations adopted by
the secretary of wildlife, parks and tourism. Any cage or confinement
structure shall be constructed in such a manner that prohibits physical
contact with any person other than such persons listed in subsection (d).

(b) No dangerous regulated animal shall be allowed to be tethered,
leashed or chained outdoors, or allowed to run at large.

(c) A dangerous regulated animal shall not be mistreated, neglected,
abandoned or deprived of necessary food, water and sustenance.

(d) A dangerous regulated animal shall not be allowed to come into
physical contact with any person other than the person possessing the
animal, the registered designated handler or a veterinarian administering
medical examination, treatment or care.

(e) A dangerous regulated animal shall not be brought to any public
property or commercial or retail establishment, except to bring the animal
to a licensed veterinarian or veterinarian clinic.

(f) A dangerous regulated animal shall not be allowed to be in
proximity to members of the public, including, but not limited to, offering
photographic opportunities next to dangerous regulated animals of any
age or size, without sufficient distance and protective barriers.

Sec. 5. K.S.A. 2018 Supp. 32-1308 is hereby amended to read as
follows: 32-1308. Exemptions to the provisions set forth in this act are as
follows:

(a) Institutions accredited by the American zoo and aquarium
association or the zoological association of America shall be exempt from
K.S.A. 2018 Supp. 32-1302 and 32-1303, and amendments thereto. Such
institutions shall be exempt from K.S.A. 2018 Supp. 32-1306(d) and (f),
and amendments thereto, when providing supervised encounters with
lemurs to members of the public.

(b) A wildlife sanctuary registered with the local animal control
authority shall be exempt from K.S.A. 2018 Supp. 32-1302, and
amendments thereto.

(c) The Kansas department of wildlife, parks and tourism, or a person
issued a permit by the secretary pursuant to K.S.A. 32-952, and
amendments thereto, shall be exempt from this act.

(d) A licensed or accredited research or medical institution shall be
exempt from K.S.A. 2018 Supp. 32-1302 and 32-1303, and amendments
thereto.

(e) A United States department of agriculture licensed exhibitor of
dangerous regulated animals while transporting or as part of a circus,
carnival, rodeo or fair shall be exempt from this act.

(f) A motion picture or television production company employing or
contracting with a dealer or exhibitor licensed under 7 U.S.C. § 2133, as
in effect on October 1, 2019, or with a carrier, intermediate handler, or unlicensed exhibitor registered under 7 U.S.C. § 2136, as in effect on October 1, 2019, for the transportation, purchase, exhibition or use of dangerous regulated animals in its motion picture or television production shall be exempt from this act.

Sec. 6. K.S.A. 2018 Supp. 32-1301, 32-1302, 32-1303, 32-1306 and 32-1308 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after October 1, 2019, and its publication in the statute book.