

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2059** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in line 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 11 and inserting:

"Section 1. K.S.A. 2015 Supp. 32-1301 is hereby amended to read as follows: 32-1301.

As used in this act:

(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 the organization possesses;

(4) does not breed any dangerous regulated animal of which 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, 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. 2015 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 parts of:

(1) Lions, tigers, leopards, jaguars, cheetahs and mountain lions, or any hybrid thereof;

(2) bears or any hybrid thereof; and

(3) 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. 2015 Supp. 32-1310, and amendments thereto.

(g) "Full contact" means a situation in which an exhibitor or handler maintains control and supervision of an animal while temporarily surrendering physical possession or custody of such animal to another person.

(h) "Incidental contact" means a situation in which an exhibitor or handler maintains control, possession and supervision of an animal while permitting the public to come into contact with it.

(i) "Control" means keeping an animal in a harness and connected to a leash.

Sec. 2. K.S.A. 2015 Supp. 32-1306 is hereby amended to read as follows: 32-1306. (a) Except as provided in subsection (e), 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~~ Dangerous regulated animals removed from confinement shall not be allowed to run at large or 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) (1) 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, not including bears or any hybrid thereof and venomous snakes, shall be permitted to come into full contact with members of the public if such animal weighs 10 pounds or less.

(2) A dangerous regulated animal, not including bears or any hybrid thereof and venomous snakes, shall be permitted incidental physical contact with members of the public if such animal weighs 25 pounds or less.

(3) A dangerous regulated animal may only be used for contact with the public if the exhibitor:

(A) Evaluates such animal and ensures compatibility with the intended uses of such animal;

(B) takes reasonable sanitary precautions to minimize the possibility of disease or parasite transmission which could adversely affect the health or welfare of members of the public or wildlife; and

(C) exhibits such animal in a manner that prevents injuries to members of the public or

wildlife.

(4) Handling intervals or physical contact, full or incidental, by members of the public with dangerous regulated animals shall be limited in frequency, intensity and duration to protect the health, welfare and safety of the animals and to prevent injury to members of the public.

(5) Before a member of the public handles or otherwise comes into physical contact with a dangerous regulated animal weighing between 10 and 25 pounds, not including bears or any hybrid thereof and venomous snakes, such member of the public shall read and sign a statement that shall contain substantially the following:

"The handling or petting of a dangerous regulated animal is inherently dangerous and may result in scratches, bites or other injuries."

Sec. 3. K.S.A. 2015 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 of zoos and aquariums or the zoological association of America shall be exempt from K.S.A. 2015 Supp. 32-1302 ~~and~~, 32-1303 and 32-1310, and amendments thereto.

(b) A wildlife sanctuary registered with the local animal control authority shall be exempt from K.S.A. 2015 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. 2015 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.

Sec. 4. K.S.A. 2015 Supp. 32-1301, 32-1306 and 32-1308 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in line 2 and inserting "animals; relating to contact with dangerous regulated animals;"; in line 3, by striking "82a-708a" and inserting "32-1301, 32-1306 and 32-1308"; in line 4, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

Conferees on part of Senate

Conferees on part of House