

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 471

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1 RELATING TO FISH AND GAME; AMENDING SECTION 36-701, IDAHO CODE, TO REVISE
2 EXCEPTION PROVISIONS REGARDING CAPTIVE WILDLIFE AND TO MAKE TECHNICAL
3 CORRECTIONS.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 36-701, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 36-701. WILDLIFE HELD CAPTIVE WITHOUT LICENSE OR PERMIT UNLAWFUL --
9 EXCEPTIONS. (a) No person shall engage in any propagation or hold in captiv-
10 ity any species of big game animal found wild in this state, unless the person
11 has been issued a license or permit by the director as hereinafter provided.

12 (b) All other species of mammals, birds or reptiles that are found in
13 the wild in this state, and are not species of special concern or threatened
14 and endangered species, may be held in captivity without permit ~~so~~ as long as
15 the possessor retains proof that such wildlife was lawfully obtained. Such
16 proof shall be maintained and presented to department representatives in ac-
17 cordance with section 36-709, Idaho Code.

18 (c) Exceptions.

19 1. No such license or permit shall be required of or for: any municipi-
20 pal, county, state, or other publicly owned zoo or wildlife exhibit ~~or~~
21 ~~of;~~ any traveling circus, menagerie, or trained act of wild animals not
22 permanently located within the state of Idaho ~~nor of;~~ any bona fide pet
23 store displaying lawfully acquired wildlife for sale ~~nor of;~~ any fur
24 farm regulated and inspected pursuant to chapter 30, title 25, Idaho
25 Code, ~~nor of;~~ any domestic cervidae farm regulated and inspected pur-
26 ~~suant to chapter 37, title 25, Idaho Code~~ traditional or internet-based
27 pet store; or any animals considered household pets, including sugar
28 gliders (Petaurus breviceps), African hedgehogs (Atelerix albiven-
29 tris), and cold-blooded animals found within the pet trade. This
30 provision is not intended to authorize the import of animals whose im-
31 port is otherwise in violation of state, county, or city laws, rules,
32 ordinances, or regulations.

33 2. Except for the provisions of subsection (d) of this section and sec-
34 tion 36-709, Idaho Code, relating to inspection and records of same,
35 nothing in this chapter shall be so construed as to apply to any exotic
36 wildlife, or domestic fur farm operated under the provisions of title
37 25, Idaho Code, or any tropical fish or other aquaria or ornamental fish
38 which the commission determines do not pose a threat to native fish if
39 released into the public waters of the state.

40 3. Except for the provisions of section 36-709(b), Idaho Code, relating
41 to inspection of facilities, nothing in this chapter shall be so con-
42 strued as to apply to any domestic cervidae farm.

1 (d) Wildlife Import -- Export -- Release Permits -- Fees. No person
2 shall import into this state or export out of this state or release in the
3 wild any species of wildlife except by permit issued by the director and in
4 accordance with rules promulgated by the commission. The fee per occurrence
5 for each permit shall be as specified in section 36-416, Idaho Code. No fee
6 shall be charged for a department benefit permit.