

SUMMARY—Enacts provisions relating to the importation, possession, sale, transfer and breeding of dangerous wild animals. (BDR 50-871)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.

Effect on the State: No.

AN ACT relating to animals; enacting provisions relating to the importation, possession, sale, transfer and breeding of dangerous wild animals; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the Board of Wildlife Commissioners to adopt regulations to prohibit the importation, transportation and possession of any species of wildlife which the Commission determines is detrimental to the wildlife or habitat of wildlife in this State. (NRS 503.597) **Section 7** of this bill prohibits a person from: (1) importing, possessing, selling, transferring or breeding a dangerous wild animal, as defined in **section 4** of this bill, unless he or she is covered under one of the various exemptions to this prohibition; or (2) allowing a dangerous wild animal to come in direct contact with a person who is not covered under one of the exemptions. **Sections 24 and 25** of this bill make conforming changes to provide that any regulations of the Commission may not conflict with certain provisions of this bill.



**Sections 8 and 9** of this bill set forth the persons and facilities that are exempt from the prohibition on importing, possessing, selling, transferring or breeding a dangerous wild animal set forth in **section 7**. **Section 8** of this bill exempts research facilities, certain nonprofit entities, licensed veterinarians, law enforcement officers, animal control authorities, the Department of Wildlife, entities accredited by the Association of Zoos and Aquariums, certain holders of Class “C” licenses for exhibitors, and under certain circumstances persons transporting dangerous wild animals and animal shelters. **Section 9** of this bill exempts a person who possessed a dangerous wild animal before July 1, 2021, if the person meets certain requirements.

**Section 10** of this bill authorizes a law enforcement officer or an animal control authority to seize and impound a dangerous wild animal if the officer or authority, as applicable, believes that the person who owns or possesses the animal has violated certain requirements. **Section 11** of this bill authorizes the forfeiture or voluntary relinquishment of a seized dangerous wild animal under certain circumstances, and **section 12** of this bill provides for the disposition of a dangerous wild animal that is seized, forfeited or relinquished.

**Section 13** of this bill authorizes a person or entity given temporary custody of a dangerous wild animal to petition a court to order the person from whom the animal was seized to post security to compensate the person or entity for the cost of caring for the animal and sets forth the requirements for this process. **Section 14** of this bill provides that the provisions of this bill do not apply to the extent that those provisions conflict with certain provisions of law governing cruelty to animals. **Section 16** of this bill provides that a person who violates certain provisions of this bill is subject to a civil penalty of not more than \$20,000.



Existing law authorizes a board of county commissioners and city council to enact certain restrictions and ordinances concerning animals, including, prohibiting cruelty to animals and fixing, imposing and collecting license fees. (NRS 244.359, 266.325) **Section 15** of this bill provides that the provisions of **sections 2-16** must not be construed as prohibiting a county or a city from adopting or enforcing any rule or law that places additional restrictions or requirements on the importation, possession, sale, transfer or breeding of a dangerous wild animal. **Sections 19 and 20** of this bill make conforming changes to limit the existing authority of a board of county commissioners and city council to enact restrictions and ordinances concerning animals such that any restrictions or ordinances may not conflict with certain provisions of this bill.

**Sections 17, 22 and 23** of this bill make conforming changes to provide certain exceptions to existing provisions of law relating to the provisions in **sections 2-16**.

**Sections 18 and 21** of this bill make conforming changes to certain existing definitions of “pet” and “animal” to provide that the terms do not include dangerous wild animals.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Title 50 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 16, inclusive, of this act.



**Sec. 2.** *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this act have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Animal control authority” means any entity designated by the county or city to enforce local ordinances and laws of this State relating to the control, shelter or welfare of animals. The term includes, without limitation, an animal control agency and a law enforcement agency.*

**Sec. 4.** *“Dangerous wild animal” means any of the following live animals held in captivity:*

- 1. All elephants from the genera Elephas and Loxodonta.*
- 2. All species of aardwolves and hyenas.*
- 3. All species of primates, except humans.*
- 4. The following species from the family Canidae:
  - (a) Gray wolves (Canis lupus).*
  - (b) Red wolves (Canis rufus) that have been bred in captivity.**
- 5. The following species from the family Felidae:
  - (a) Cheetahs (Acinonyx jubatus), including hybrids thereof.*
  - (b) Clouded leopards (Neofelis nebulosa and Neofelis diardi), including hybrids thereof.*
  - (c) Jaguars (Panthera onca), including hybrids thereof.*
  - (d) Leopards (Panthera pardus), including hybrids thereof.*
  - (e) Lions (Panthera leo), including hybrids thereof.**



(f) *Mountain lions (Puma concolor) that have been bred in captivity, including hybrids thereof.*

(g) *Snow leopards (Panthera uncia), including hybrids thereof.*

(h) *Tigers (Panthera tigris), including hybrids thereof.*

6. *The following species from the family Ursidae:*

(a) *American black bears (Ursus americanus) that have been bred in captivity.*

(b) *Asiatic black bears (Ursus thibetanus).*

(c) *Brown bears (Ursus arctos).*

(d) *Giant pandas (Ailuropoda melanoleuca).*

(e) *Polar bears (Ursus maritimus).*

(f) *Sloth bears (Melursus ursinus).*

(g) *Spectacled bears (Tremarctos ornatus), including hybrids thereof.*

(h) *Sun bears (Helarctos malayanus).*

**Sec. 5. 1.** *“Direct contact” means physical contact with or a situation of physical proximity where physical contact is possible with a dangerous wild animal.*

2. *The term includes, without limitation, a situation in which a photograph is taken with a dangerous wild animal without the presence of a permanent physical barrier which is designed to prevent physical contact between the public and the dangerous wild animal.*

**Sec. 6.** *“Law enforcement officer” means:*

1. *A sheriff of a county or metropolitan police department and any deputy thereof;*



2. *An employee of the Department of Public Safety who has the powers of a peace officer pursuant to NRS 289.270;*

3. *A police officer of a city or town;*

4. *A game warden or other agent or employee of the Department of Wildlife; and*

5. *Any person acting under the authority of NRS 574.040.*

**Sec. 7.** 1. *Except as otherwise provided in sections 8 and 9 of this act, a person shall not import, possess, sell, transfer or breed a dangerous wild animal in this State.*

2. *A person shall not allow a dangerous wild animal to come in direct contact with a person who is not exempt from subsection 1 pursuant to the provisions of section 8 or 9 of this act.*

**Sec. 8.** *The provisions of subsection 1 of section 7 of this act do not apply to:*

1. *A research facility, as defined in 7 U.S.C. § 2132.*

2. *Any nonprofit entity that provides refuge and care to animals or an animal shelter, as defined in NRS 574.240, which is temporarily housing a dangerous wild animal at the written request of a law enforcement officer or an animal control authority.*

3. *A veterinarian licensed pursuant to chapter 638 of NRS for the purpose of providing treatment to a dangerous wild animal.*

4. *A law enforcement officer or animal control authority for the purpose of enforcing local ordinances and the laws of this State.*

5. *The Department of Wildlife or the agents or employees thereof for the purpose of enforcing title 45 of NRS.*



6. *An institution or facility which is accredited by the Association of Zoos and Aquariums or its successor organization.*

7. *A holder of a Class “C” license for exhibitors, as defined in 9 C.F.R. § 1.1, including, without limitation, a circus or zoological park, that:*

(a) *Has not been convicted of or fined by any federal, state or local governmental entity for an offense involving the abuse or neglect of an animal.*

(b) *Does not employ any person who has:*

(1) *Direct contact with a dangerous wild animal; and*

(2) *Been convicted of or fined by any federal, state or local governmental entity for an offense involving the abuse or neglect of an animal.*

(c) *Has not:*

(1) *Had a license or permit for the care, possession, sale, exhibition or breeding of animals revoked or suspended by any federal, state or local governmental entity;*

(2) *Received an official warning of violation of federal regulation from the United States Department of Agriculture within the immediately preceding 3 years; or*

(3) *Entered into any stipulation, consent decree or settlement with the United States Department of Agriculture within the immediately preceding 5 years. A Class “C” licensee shall disclose to a law enforcement officer or an animal control authority, upon request, any pending investigations that the United States Department of Agriculture is conducting.*



*(d) Has not been cited within the immediately preceding 3 years by the United States Department of Agriculture for jeopardizing the health or well-being of a dangerous wild animal by:*

*(1) Providing inadequate veterinary care to the dangerous wild animal;*

*(2) Inappropriately handling a dangerous wild animal that caused:*

*(I) Stress or trauma to the dangerous wild animal; or*

*(II) A threat to public safety; or*

*(3) Providing inadequate food, water, shelter or space to the dangerous wild animal.*

*(e) Has not been cited within the immediately preceding 3 years by the United States Department of Agriculture for:*

*(1) Refusing access to any site registered under the Class "C" license by an inspector of the United States Department of Agriculture; or*

*(2) Interfering with an inspection.*

*(f) Maintains liability insurance in an amount not less than \$250,000 per occurrence covering property damage or bodily injury or death caused by any dangerous wild animal that the Class "C" licensee possesses.*

*(g) Has an annual written plan, which the Class "C" licensee shall provide upon request to the sheriff or metropolitan police department, as applicable, and the animal control authority having jurisdiction over the location of the holder, for the quick and safe recapture or destruction of a dangerous wild animal that escapes from captivity, including, without*



*limitation, written protocols for training employees of the Class “C” licensee concerning methods of the safe recapture of a dangerous wild animal that escapes from captivity.*

*(h) Files an annual list with the sheriff or metropolitan police department, as applicable, and the animal control authority having jurisdiction over the location of the Class “C” licensee setting forth all dangerous wild animals which are acquired or disposed of by the Class “C” licensee during the calendar year for which the Class “C” licensee files the list.*

*↪ Any plan provided to or list filed with any sheriff, metropolitan police department or animal control authority pursuant to paragraph (g) or (h) is confidential and must be securely maintained by the sheriff, metropolitan police department or animal control authority to whom the plan is provided or with whom the list is filed. An officer, employee or other person to whom a plan or list is entrusted by a sheriff, metropolitan police department or animal control authority shall not disclose the contents of the plan or list except upon the order of a court of competent jurisdiction or as is necessary in the event of an emergency involving public health or safety.*

*8. A person, including, without limitation, a person who is located within this State and who is exempt pursuant to this section, transporting a legally possessed dangerous wild animal through this State for not more than 24 hours if the dangerous wild animal is:*

*(a) Not exhibited during transport; and*

*(b) At all times while in this State, kept in a cage or travel container that is appropriate to the species and the size of the dangerous wild animal and meets the requirements of 9 C.F.R. § 3.137 or 3.87, as applicable.*



↪ *A person who is transporting a legally possessed dangerous wild animal pursuant to this subsection shall provide notice to the sheriff or metropolitan police department, as applicable, and animal control authorities having jurisdiction in an area through which the dangerous wild animal will be transported at least 72 hours before transporting the legally possessed dangerous wild animal in this State. Such notice must identify the number and type of dangerous wild animals that will be transported and any veterinary certificates or other permits required by federal, state or local law.*

**Sec. 9.** *The provisions of subsection 1 of section 7 of this act do not apply to a person who lawfully possessed a dangerous wild animal before July 1, 2021, if that person:*

*1. Has not:*

*(a) Been convicted of or fined by any federal, state or local governmental entity for an offense involving the abuse or neglect of an animal; or*

*(b) Had a license or permit relating to the care, possession, sale, exhibition or breeding of animals revoked or suspended by any federal, state or local governmental entity;*

*2. Does not acquire any additional dangerous wild animals through purchase, donation or breeding on or after July 1, 2021, except in compliance with section 8 of this act;*

*3. If selling or transferring a dangerous wild animal to another person:*

*(a) Notifies the sheriff or metropolitan police department, as applicable, and animal control authority with jurisdiction over the location where the dangerous wild animal is kept in writing not less than 72 hours before the sale or transfer of the name and address of the recipient of the dangerous wild animal; and*



*(b) Complies with all applicable local, state and federal laws;*

*4. Maintains all veterinary records and any documents evidencing the acquisition of the dangerous wild animal to establish that the person possessed the dangerous wild animal before July 1, 2021;*

*5. Maintains a written plan which must be based on the recommended standards of the American Veterinary Medical Association, or its successor organization, for the handling, restraint, tranquilization and euthanasia of a dangerous wild animal, which he or she shall provide upon request to the sheriff or metropolitan police department, as applicable, and animal control authority having jurisdiction over the location of the person, concerning:*

*(a) The quick and safe recapture or destruction of a dangerous wild animal that escapes from captivity; and*

*(b) The protocol for managing the dangerous wild animal during an emergency;*

*6. Has sufficient training to provide appropriate care for the dangerous wild animal that he or she possesses;*

*7. Registers with the sheriff or metropolitan police department, as applicable, and the local animal control authority with jurisdiction over the premises where the dangerous wild animal is located within 2 months after July 1, 2021, and annually thereafter. Such registration must:*

*(a) Provide the number and species of all dangerous wild animals possessed; and*

*(b) Show proof of liability insurance in an amount not less than \$250,000 per occurrence covering property damage or bodily injury or death caused by any dangerous wild animal that the person possesses.*



↳ *The sheriff or metropolitan police department, as applicable, and the animal control authority may charge and collect reasonable fees for the application for, issuance of and renewal of a registration in an amount which is equal to any administrative and enforcement costs.*

**Sec. 10. 1.** *A law enforcement officer or an animal control authority may seize a dangerous wild animal if the officer or authority has probable cause to believe that the person who owns or possesses the dangerous wild animal has violated any provision of section 7, 8 or 9 of this act.*

*2. A law enforcement officer or an animal control authority may impound a dangerous wild animal seized pursuant to subsection 1 on the property of the person who owns or possesses the dangerous wild animal until a transfer and placement of the dangerous wild animal becomes possible.*

**Sec. 11. 1.** *If a person from whom a dangerous wild animal is seized pursuant to section 10 of this act is found to have violated a provision of section 7, 8 or 9 of this act, the court may order the forfeiture of the dangerous wild animal by the person.*

*2. A person from whom a dangerous wild animal is seized pursuant to section 10 of this act may voluntarily relinquish the dangerous wild animal. A person who voluntarily relinquishes a dangerous wild animal pursuant to this section remains subject to the imposition of a civil penalty pursuant to section 16 of this act for a violation of a provision of section 7, 8 or 9 of this act.*



*3. Except as otherwise provided in subsection 4, a dangerous wild animal that is forfeited pursuant to this section may be returned to the owner of the dangerous wild animal if the investigating law enforcement officer or animal control authority determines that:*

- (a) Possession of the dangerous wild animal is allowed by law;*
- (b) The owner has corrected each violation resulting in the forfeiture;*
- (c) The return of the dangerous wild animal does not create a risk to public health or safety;*
- (d) The dangerous wild animal has not been treated cruelly; and*
- (e) The owner is in compliance with the provisions of this chapter.*

*4. A dangerous wild animal that is forfeited pursuant to this section must not be returned to the owner if the investigating law enforcement officer or animal control authority determines that possession of the dangerous wild animal is prohibited pursuant to this chapter or title 45 of NRS. If possession of the dangerous wild animal is prohibited by law, the dangerous wild animal must be humanely euthanized by an animal control authority in compliance with all applicable federal, state and local laws.*

**Sec. 12.** *1. A dangerous wild animal that is seized pursuant to section 10 of this act, voluntarily relinquished pursuant to section 11 of this act or forfeited pursuant to section 11 or 13 of this act must be placed in the custody of a person or entity that is exempted from the provisions of subsection 1 of section 7 of this act pursuant to section 8 of this act.*

*2. The dangerous wild animal may be humanely euthanized by an animal control authority in compliance with all applicable federal, state and local laws if the placement of the dangerous wild animal:*



*(a) Is not possible after reasonable efforts by a law enforcement officer or an animal control authority to make such a placement;*

*(b) Is prohibited pursuant to title 45 of NRS; or*

*(c) Creates a risk to public health or safety.*

**Sec. 13. 1.** *A person or entity with whom a dangerous wild animal is placed pursuant to section 12 of this act may file a petition in any court of competent jurisdiction to request that the person from whom the dangerous wild animal was seized be ordered to post security adequate to ensure the full payment of all reasonable costs incurred in caring for the dangerous wild animal during the pendency of any proceedings regarding the disposition of the dangerous wild animal.*

*2. A petitioner who files a petition pursuant to subsection 1 must serve a copy of the petition upon the person from whom the dangerous wild animal was seized and the law enforcement officer or animal control agent who seized the dangerous wild animal, if other than the petitioner.*

*3. The court shall set a hearing on any petition filed pursuant to subsection 1 to be held within 5 business days after service of the petition pursuant to subsection 2. At the hearing, the court may determine whether any additional interested parties must be served with the petition. If the court determines that additional parties must be served with the petition, the hearing must be continued to provide time for the petitioner to serve the interested parties with the petition and for the interested parties to respond to the petition.*



*4. If a court orders the posting of security pursuant to a hearing on a petition, the court may require the entire amount of the security to be posted within 5 business days after the issuance of the order or may allow the person from whom the dangerous wild animal was seized to make installment payments of the total amount ordered. If the security is not paid as ordered by the court, the dangerous wild animal must be forfeited and the law enforcement officer or animal control authority that seized the dangerous wild animal shall proceed pursuant to section 12 of this act.*

*5. Upon resolution of the proceedings regarding the disposition of the dangerous wild animal that was seized, the person having custody of the animal must refund to the person who posted the security any portion of the security remaining.*

**Sec. 14.** *The provisions of this chapter do not apply to the extent that those provisions conflict with or are otherwise inconsistent with the provisions of chapter 574 of NRS.*

**Sec. 15.** *The provisions of this chapter must not be construed to prohibit a county or a city from adopting or enforcing any rule or law that places additional restrictions or requirements on the importation, possession, sale, transfer or breeding of dangerous wild animals.*

**Sec. 16.** *A person who violates any provision of this chapter is subject to a civil penalty of not more than \$20,000.*

**Sec. 17.** NRS 571.210 is hereby amended to read as follows:

571.210 1. Except as otherwise provided in this section **[H]** *and sections 2 to 16, inclusive, of this act*, a person, or the person's agent or employee may bring into this State any animal not



under special quarantine by the State of Nevada, the Federal Government, or the state, territory or district of origin in compliance with regulations adopted by the State Quarantine Officer.

2. Notice that an animal is in transit is not required unless the animal remains in this State, or is to be unloaded in this State to feed and rest for longer than 48 hours.

3. A person, or the person's agent or employee shall not bring any animal into this State unless he or she has obtained a health certificate showing that the animal is free from contagious, infectious or parasitic diseases or exposure thereto. This requirement does not apply to any animal whose accustomed range is on both sides of the Nevada state line and which is being moved from one portion to another of the accustomed range merely for pasturing and grazing thereon. The State Quarantine Officer shall adopt regulations concerning the form of the certificate.

4. A person, or the person's agent or employee shall not:

(a) Alter a health certificate; or

(b) Divert any animal from the destination described on the health certificate without notifying the State Quarantine Officer within 72 hours after the diversion of the animal.

5. To protect this State from the effects of chronic wasting disease, a person, or the person's agent or employee shall not knowingly bring into this State any live:

(a) Elk (*Cervus elaphus*);

(b) Mule deer (*Odocoileus hemionus*);

(c) White-tailed deer (*Odocoileus virginianus*);

(d) Moose (*Alces alces*);



(e) Alternative livestock, unless in accordance with a permit obtained pursuant to NRS 576.129; or

(f) Other animal that the State Quarantine Officer has, by regulation, declared to be susceptible to chronic wasting disease and prohibited from importation into this State.

6. Any animal knowingly brought into this State in violation of this section may be seized, destroyed or sent out of this State by the State Quarantine Officer within 48 hours. The expense of seizing, destroying or removing the animal must be paid by the owner or the owner's agent in charge of the animal and the expense is a lien on the animal, unless it was destroyed, until paid.

**Sec. 18.** NRS 574.615 is hereby amended to read as follows:

574.615 1. "Pet" means an animal that is kept by a person primarily for personal enjoyment.

2. The term does not include ~~an~~:

(a) *An* animal that is kept by a person primarily for:

~~(a)~~ (1) Hunting;

~~(b)~~ (2) Use in connection with farming or agriculture;

~~(c)~~ (3) Breeding;

~~(d)~~ (4) Drawing heavy loads; or

~~(e)~~ (5) Use as a service animal or a service animal in training, as those terms are defined in

NRS 426.097 and 426.099, respectively ~~H~~; *or*

(b) *A dangerous wild animal as defined in section 4 of this act.*

**Sec. 19.** NRS 244.359 is hereby amended to read as follows:



244.359 1. Each board of county commissioners may enact and enforce an ordinance or ordinances:

(a) Fixing, imposing and collecting an annual license fee on dogs and providing for the capture and disposal of all dogs on which the license fee is not paid.

(b) Regulating or prohibiting the running at large and disposal of all kinds of animals.

(c) Establishing a pound, appointing a poundkeeper and prescribing the poundkeeper's duties.

(d) Prohibiting cruelty to animals.

(e) Designating an animal as inherently dangerous and requiring the owner of such an animal to obtain a policy of liability insurance for the animal in an amount determined by the board of county commissioners.

2. Any ordinance or ordinances enacted pursuant to the provisions of paragraphs (a) and (b) of subsection 1 may apply throughout an entire county or govern only a limited area within the county which shall be specified in the ordinance or ordinances.

3. Except as otherwise provided in this subsection, a board of county commissioners may by ordinance provide that the violation of a particular ordinance enacted pursuant to this section imposes a civil liability to the county in an amount not to exceed \$500, instead of a criminal penalty. An ordinance enacted pursuant to this section that creates an offense relating to bites of animals, vicious or dangerous animals, horse tripping or cruelty to animals must impose a criminal penalty for the offense. As used in this subsection, "horse tripping" does not include tripping a horse to provide medical or other health care for the horse.



*4. The provisions of this section apply only to the extent that they do not conflict with the provisions of sections 2 to 16, inclusive, of this act.*

**Sec. 20.** NRS 266.325 is hereby amended to read as follows:

266.325 *1.* The city council may:

~~[1.]~~ *(a)* Fix, impose and collect an annual license fee on all animals and provide for the capture and disposal of all animals on which the license fee is not paid.

~~[2.]~~ *(b)* Regulate or prohibit the running at large and disposal of all kinds of animals and poultry.

~~[3.]~~ *(c)* Establish a pound, appoint a poundkeeper and prescribe the poundkeeper's duties.

~~[4.]~~ *(d)* Prohibit cruelty to animals.

*2. The provisions of this section apply only to the extent that they do not conflict with the provisions of sections 2 to 16, inclusive, of this act.*

**Sec. 21.** NRS 278.0177 is hereby amended to read as follows:

278.0177 *1.* "Rural preservation neighborhood" means a subdivided or developed area:

~~[1.]~~ *(a)* Which consists of 10 or more residential dwelling units;

~~[2.]~~ *(b)* Where the outer boundary of each lot that is used for residential purposes is not more than 330 feet from the outer boundary of any other lot that is used for residential purposes;

~~[3.]~~ *(c)* Which has no more than two residential dwelling units per acre; and

~~[4.]~~ *(d)* Which allows residents to raise or keep animals noncommercially.

*2. As used in this section, the term "animal" does not include a dangerous wild animal as defined in section 4 of this act.*



**Sec. 22.** NRS 501.379 is hereby amended to read as follows:

501.379 1. Except as otherwise provided in this section ~~[ ]~~ *and sections 2 to 16, inclusive, of this act:*

(a) It is unlawful for any person to sell or expose for sale, to barter, trade or purchase or to attempt to sell, barter, trade or purchase any species of wildlife, or parts thereof, except as otherwise provided in this title or in a regulation of the Commission.

(b) The importation and sale of products made from the meat of game mammals, game birds or game amphibians raised in captivity is not prohibited if the importation is from a licensed commercial breeder or commercial processor.

2. The provisions of this section do not apply to alternative livestock and products made therefrom.

**Sec. 23.** NRS 503.590 is hereby amended to read as follows:

503.590 1. Except as otherwise provided in this section ~~[ ]~~ *and sections 2 to 16, inclusive, of this act,* a person may maintain a noncommercial collection of legally obtained live wildlife if:

(a) Such a collection is not maintained for public display nor as a part of or adjunct to any commercial establishment; and

(b) The wildlife contained in such a collection is of a species which may be possessed in accordance with regulations adopted by the Commission pursuant to subsection 2 of NRS 504.295.

2. The Commission may adopt reasonable regulations establishing minimum standards for the fencing or containment of any collection of wildlife.



3. The provisions of this section do not apply to alternative livestock and products made therefrom.

**Sec. 24.** NRS 503.597 is hereby amended to read as follows:

503.597 1. Except as otherwise provided in this section ~~§~~ *and sections 2 to 16, inclusive, of this act*, it is unlawful, except by the written consent and approval of the Department, for any person at any time to receive, bring or have brought or shipped into this State, or remove from one stream or body of water in this State to any other, or from one portion of the State to any other, or to any other state, any aquatic life or wildlife, or any spawn, eggs or young of any of them.

2. The Department shall require an applicant to conduct an investigation to confirm that such an introduction or removal will not be detrimental to the wildlife or the habitat of wildlife in this State. Written consent and approval of the Department may be given only if the results of the investigation prove that the introduction, removal or importation will not be detrimental to existing aquatic life or wildlife, or any spawn, eggs or young of any of them.

3. The Commission may through appropriate regulation provide for the inspection of such introduced or removed creatures and the inspection fees therefor.

4. ~~The~~ *To the extent that such regulations do not conflict with the provisions of sections 2 to 16, inclusive, of this act, the* Commission may adopt regulations to prohibit the importation, transportation or possession of any species of wildlife which the Commission deems to be detrimental to the wildlife or the habitat of the wildlife in this State.



5. A person who knowingly or intentionally introduces, causes to be introduced or attempts to introduce an aquatic invasive species or injurious aquatic species into any waters of this State is guilty of:

(a) For a first offense, a misdemeanor; and

(b) For any subsequent offense, a category E felony and shall be punished as provided in NRS 193.130.

6. A court before whom a defendant is convicted of a violation of subsection 5 shall, for each violation, order the defendant to pay a civil penalty of at least \$25,000 but not more than \$250,000. The money must be deposited into the Wildlife Account in the State General Fund and used to:

(a) Remove the aquatic invasive species or injurious aquatic species;

(b) Reintroduce any game fish or other aquatic wildlife destroyed by the aquatic invasive species or injurious aquatic species;

(c) Restore any habitat destroyed by the aquatic invasive species or injurious aquatic species;

(d) Repair any other damage done to the waters of this State by the introduction of the aquatic invasive species or injurious aquatic species; and

(e) Defray any other costs incurred by the Department because of the introduction of the aquatic invasive species or injurious aquatic species.

7. The provisions of this section do not apply to:

(a) Alternative livestock and products made therefrom; or

(b) The introduction of any species by the Department for sport fishing or other wildlife management programs.



8. As used in this section:

(a) “Aquatic invasive species” means an aquatic species which is exotic or not native to this State and which the Commission has determined to be detrimental to aquatic life, water resources or infrastructure for providing water in this State.

(b) “Injurious aquatic species” means an aquatic species which the Commission has determined to be a threat to sensitive, threatened or endangered aquatic species or game fish or to the habitat of sensitive, threatened or endangered aquatic species or game fish by any means, including, without limitation:

- (1) Predation;
- (2) Parasitism;
- (3) Interbreeding; or
- (4) The transmission of disease.

**Sec. 25.** NRS 504.295 is hereby amended to read as follows:

504.295 1. Except as otherwise provided in this section and NRS 503.590, *and sections 2 to 16, inclusive, of this act*, or unless otherwise specified by a regulation adopted by the Commission, no person may:

- (a) Possess any live wildlife unless the person is licensed by the Department to do so.
- (b) Capture live wildlife in this State to stock a commercial or noncommercial wildlife facility.
- (c) Possess or release from confinement any mammal for the purposes of hunting.

2. ~~The~~ *To the extent that such regulations do not conflict with the provisions of sections 2 to 16, inclusive, of this act, the* Commission shall adopt regulations for the possession of live



wildlife. The regulations must set forth the species of wildlife which may be possessed and propagated, and provide for the inspection by the Department of any related facilities.

3. ~~[(H)]~~ *Except as otherwise provided in sections 2 to 16, inclusive, of this act, in* accordance with the regulations of the Commission, the Department may issue commercial and noncommercial licenses for the possession of live wildlife upon receipt of the applicable fee.

4. The provisions of this section do not apply to alternative livestock and products made therefrom.

**Sec. 26.** This act becomes effective on July 1, 2021.

