



## EXOTIC ANIMAL PERMITS PROPOSED IN INDIANA

### **\*\* Violators Will Be Guilty Of A Misdemeanor \*\***

#### **The Issue.**

Senate Bill 280 has been introduced in Indiana that would require all persons in the business of selling exotic reptiles to obtain a permit from the department, and makes it a Class C misdemeanor to sell an exotic reptile without a permit. The bill also makes it a Class C misdemeanor to release an exotic or wild animal into the wild without legal authorization or a permit issued by the Department of Natural Resources.

#### **The Impact.**

##### Exotic Reptiles

Any person in the business of selling exotic reptiles who knowingly or intentionally sells, barter, trades, or in any other way transfers possession of an exotic reptile must obtain a permit to do so from the department. Anyone who sells an exotic reptile without a permit will be guilty of a Class C misdemeanor. Permits are valid for one year and fees are to be determined by the department, but the bill mandates that they may not exceed \$50.

An "**exotic reptile**" is defined as "a reptile that is:

- not native to Indiana;
- extirpated from Indiana and either a wild reptile or feral reptile".

A "person in the business of selling exotic reptiles" means "a person who sells at least six exotic reptiles in one calendar year.

The bill also addresses non-commercial exotic reptile animal sales buy stating that "a person **not** in the business of selling exotic reptiles who sells, barter, trades, or in any other way transfers possession of an exotic reptile without notifying the department commits a Class C infraction".

##### Release of "Exotic Animals"

Under this legislation, a person who, without a permit issued by the department, or without being otherwise legally authorized, knowingly or intentionally releases an exotic animal or a wild animal into the wild commits a Class C misdemeanor. Anyone found guilty of this violation can receive fines of up to \$2,500.



An "**exotic animal**" is defined as "an animal that is not native to Indiana; or extirpated from Indiana and either wild animal or feral animal other than a dog or cat".

## **Recommended Action.**

Since the bill is in its early stages of the legislative process, we urge you to monitor this bill closely in the event that amendments are proposed that could be detrimental to exotic animal businesses in Indiana. SB 280 currently sits in the Senate Committee on Corrections, Criminal & Civil Matters where it awaits its first committee hearing. Contact information for committee members is listed below.

Also, to easily contact both members of the Committee, as well as your own Senator, visit PIJAC's [Legislative Action Center](http://www.pijac.org/governmentaffairs) on the PIJAC website (<http://www.pijac.org/governmentaffairs>) to learn how.

The text to this legislation is attached to the online version of this *PetAlert*, found on the 'Breaking News' page of the PIJAC website (<http://www.pijac.org/petinformation/breakingnews.asp>).

If you have further questions please feel free to contact PIJAC's Bambi Nicole Osborne by phone at 202-452-1525 or via email at [bambi@pijac.org](mailto:bambi@pijac.org).

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**Senate Corrections, Criminal & Civil Matters**  
**State Capitol**  
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## **Not Yet a PIJAC Member?**

For more than thirty-five years, the Pet Industry Joint Advisory Council (PIJAC) has ensured the prosperity of the pet industry. To learn more about PIJAC, please visit our website at [www.pijac.org/membership](http://www.pijac.org/membership). For further information, please send an e-mail to [members@pijac.org](mailto:members@pijac.org) or phone 1-800-553-PETS (1-800-553-7387).

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**2010 IN S 280**    **AUTHOR:**            Arnold  
                         **VERSION:**            Introduced  
                         **VERSION DATE:** 01/08/2010

**STATE OF INDIANA**

Introduced Version

**SENATE BILL No. 280**

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DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 14-22-10.

**Synopsis:** Exotic animals. Makes it a Class C misdemeanor to release an exotic or wild animal into the wild without legal authorization or a permit issued by the department of natural resources (department), and provides that the fine for unlawfully releasing an exotic or wild animal is at least \$500 and not more than \$2,500. Requires a person in the business of selling exotic reptiles to obtain a permit from the department, and makes it a Class C misdemeanor to sell an exotic reptile without a permit. Requires a person not in the business of selling exotic reptiles to notify the department before selling an exotic reptile, and makes the failure to notify the department a Class C infraction.

**Effective:** July 1, 2010.

**Arnold**

January 11, 2010, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

Introduced

Second Regular Session 116th General Assembly (2010)

**SENATE BILL No. 280**

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 14-22-10-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]:

Sec. 12. (a) As used in this section, "exotic animal" means an animal that is:

(1) not native to Indiana; or

(2) extirpated from Indiana and either a:

(A) wild animal; or

(B) feral animal other than a dog or cat.

(b) A person who, without a permit issued by the department, or without being otherwise legally authorized, knowingly or intentionally releases an exotic animal or a wild animal into the wild commits a Class C misdemeanor.

(c) Notwithstanding the maximum fine under IC 35-50-3-4, the court shall order a person convicted under subsection (b) to pay a fine of at least five hundred dollars (\$500) and not more than two thousand five hundred dollars (\$2,500).

SECTION 2. IC 14-22-10-13 IS ADDED TO THE INDIANA

CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]:

Sec. 13. (a) As used in this section, "exotic reptile" means a reptile that is:

(1) not native to Indiana; or

(2) extirpated from Indiana and either a:

(A) wild reptile; or

(B) feral reptile.

(b) As used in this section, "person in the business of selling exotic reptiles" means a person who sells at least six (6) exotic reptiles in one (1) calendar year.

(c) A person in the business of selling exotic reptiles who knowingly or intentionally sells, barter, trades, or in any other way transfers possession of an exotic reptile without a permit issued by the department in accordance with this section commits a Class C misdemeanor.

(d) A person not in the business of selling exotic reptiles who sells, barter, trades, or in any other way transfers possession of an exotic reptile without notifying the department in accordance with this section commits a Class C infraction.

(e) The department shall adopt rules under IC 4-22-2 concerning the issuance of an annual permit to sell, barter, trade, or in any other way transfer possession of exotic reptiles by a person in the business of selling exotic reptiles. The fee for a permit described under this subsection may not exceed fifty dollars (\$50) per year.

(f) The department shall adopt rules under IC 4-22-2 concerning the manner in which a person not in the business of selling exotic reptiles shall notify the department if the person sells, barter, trades, or in any other way transfers possession of an exotic reptile.