

Regular Session, 2010

HOUSE BILL NO. 1354

BY REPRESENTATIVE HILL

ANIMALS: Provides relative to the sale, barter, trade, and possession of non-indigenous and poisonous snakes and constrictors

1 AN ACT

2 To amend and reenact R.S. 56:632(A), 632.5(A), and 632.7 and to enact R.S. 56:632.5.1,
3 relative to the reptile and amphibian wholesale/retail dealer's license; to require such
4 license for a person to possess or sell certain non-indigenous or poisonous snakes or
5 constrictors; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 56:632(A), 632.5(A), and 632.7 are hereby amended and reenacted
8 and R.S. 56:632.5.1 is hereby enacted to read as follows:

9 §632. Powers and duties

10 A. The secretary shall have the authority to prohibit the commercial harvest
11 or importation of any species of reptile or amphibian, provided that such a decision
12 is based on accurate biological data or other technical information that indicated such
13 species would interfere with the state's natural ecosystem.

14 * * *

15 §632.5. Reptile and amphibian wholesale/retail dealer's license; nonresident three-
16 day license

17 A. ~~All persons engaged in the buying, acquiring, or the handling by any~~
18 ~~means any species of native reptile or amphibian in Louisiana for resale, or any~~
19 ~~person engaged in the shipping or transporting of any native reptile or amphibian~~
20 ~~either into or out of the state of Louisiana, must~~ Any person buying, acquiring, or

1 handling, from any person, by any means whatsoever, or for propagation for sale,
 2 any live species of native reptile or amphibian or any live species of poisonous snake
 3 or constrictor, as delineated in R.S. 56:632.5.1, in Louisiana, from within or outside
 4 the state, for sale, or resale, whether on a commission basis or otherwise, is a
 5 wholesale/retail reptile amphibian dealer and shall possess a reptile and amphibian
 6 wholesale/retail dealer's license at a cost of one hundred five dollars for a resident
 7 and four hundred five dollars for a nonresident.

* * *

9 §632.5.1. Constrictors and poisonous snakes

10 A. The importation or private possession of constrictor snakes in excess of
 11 twelve feet long, including but not limited to the following species: Apodora
 12 papuana (Papuan python), Liasis olivacea, (Olive python), Morelia spilota (Carpet
 13 or Diamond python), Morelia kinghorni (Scrub python), Morelia amethystine
 14 (Amethystine python), Python natalensis (Southern African python), Python sebae
 15 (African Rock python), Python molurus (Indian or Burmese python), Python
 16 reticulatus (Reticulate python), any species of the genus Boa (Boa constrictors), and
 17 any species of the genus Eunectes (Anacondas), obtained in any manner, shall only
 18 be by permit issued by the Department of Wildlife and Fisheries except for animals
 19 kept by animal sanctuaries, zoos, aquariums, wildlife research centers, scientific
 20 organizations, and medical research facilities as defined in the Animal Welfare Act
 21 as found in the United States Code Title 7, Chapter 54, 2132(e).

22 B. The importation or private possession of venomous snakes, including any
 23 species under current taxonomic standing recognized to belong to the Families
 24 Viperidae (Pitvipers and Vipers), Elapidae (Cobras and Mambas), Hydrophiidae (Sea
 25 Snakes), Atractaspididae (Mole Vipers), as well as the genera Dispholidus,
 26 Thelotornis, and Rhabdophis of the Family Colubridae obtained in any manner, shall
 27 only be by permit issued by the Department of Wildlife and Fisheries except for
 28 animals kept by animal sanctuaries, zoos, aquariums, wildlife research centers,

1 scientific organizations, and medical research facilities as defined in the Animal
2 Welfare Act as found in the United States Code Title 7, Chapter 54, 2132(e).

3 C. The Louisiana Wildlife and Fisheries Commission is authorized to adopt
4 rules and regulation for the harvest, possession, sale, handling, housing, or
5 importation for species of constrictors and poisonous snakes.

6 D. Violation of the provisions of this Section or rules adopted pursuant
7 thereto shall constitute a class three violation as provided for in R.S. 56:33.

8 * * *

9 §632.7. License fee dedication

10 All funds derived from the sale of reptile and amphibian collector's licenses
11 and reptile and amphibian wholesale/retail dealer's licenses shall be placed in the
12 Conservation Fund in accordance with R.S. 56:10. ~~and shall be used by the~~
13 ~~department exclusively for administering and enforcing the provisions of this~~
14 ~~Subpart or for other such purposes as may be determined by the department.~~

15 Section 2. The provisions of this Act shall be applicable to license years beginning
16 November 15, 2010, and thereafter.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hill

HB No. 1354

Abstract: Provides for licensure for any person selling, trading, or propagating certain non-indigenous or poisonous snakes or constrictors.

Present law requires any person buying or handling for resale or any person transporting any native reptile or amphibian is required to have a reptile and amphibian wholesale/retail dealer's license at a cost of \$105 for a resident and \$405 for a nonresident. Proposed law expands present law to require licensure of any person buying or handling for resale or propagation of any live species of poisonous snake or constrictor.

Proposed law defines constrictor to include Apodora papuana (Papuan python), Liasis olivacea, (Olive python), Morelia spilota (Carpet or Diamond python), Morelia kinghorni (Scrub python), Morelia amethystine (Amethystine python), Python natalensis (Southern African python), Python sebae (African Rock python), Python molurus (Indian or Burmese python), Python reticulatus (Reticulate python), any species of the genus Boa (Boa constrictors), and any species of the genus Eunectes (Anacondas), and venomous snakes to include the Families Viperidae (Pitvipers and Vipers), Elapidae (Cobras and Mambas),

Hydrophiidae (Sea Snakes), Atractaspididae (Mole Vipers), as well as the genera Dispholidus, Thelotornis, and Rhabdophis of the Family Colubridae.

Proposed law provides that constrictors in excess of 12 feet and venomous snakes may only be kept by permit from the Dept. of Wildlife and Fisheries. Excepts animal sanctuaries, zoos, aquariums, wildlife research centers, scientific organizations, and medical research facilities listed in the federal Animal Welfare Act.

Proposed law authorizes the Wildlife and Fisheries Commission to promulgate rules and provides that violations are class three violations punishable as follows:

1st offense	\$250 - \$500	or	imprisonment not more than 90 days, or both
2nd offense	\$500 - \$800	or	imprisonment between 60 and 90 days, and forfeiture
3rd +	\$750 - \$1000	&	imprisonment between 90 and 120 days, and forfeiture

Second or subsequent offenses may include revocation of the license for the remainder of the issuance period.

Present law requires that all funds received from the sale of reptile and amphibian licenses be placed in the Conservation Fund and used by the department exclusively for administering and enforcing the reptile and amphibian program or other such purposes as determined by the department. Proposed law removes the use restrictions.

Applicable to license years beginning Nov. 15, 2010, and thereafter.

(Amends R.S. 56:632(A), 632.5(A), and 632.7; Adds R.S. 56:632.5.1)