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FISCAL IMPACT STATEMENT

LS 6893

BILL NUMBER: SB 280

NOTE PREPARED: Dec 31, 2009

BILL AMENDED:

SUBJECT: Exotic animals.

FIRST AUTHOR: Sen. Arnold

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill makes it a Class C misdemeanor to release an exotic animal or wild animal into the wild without legal authorization or a permit issued by the Department of Natural Resources (DNR), and provides that the fine for unlawfully releasing an exotic or wild animal is at least \$500 and not more than \$2,500.

The bill requires a person in the business of selling exotic reptiles to obtain a permit from the DNR, and makes it a Class C misdemeanor to sell an exotic reptile without a permit. It requires a person not in the business of selling exotic reptiles to notify the DNR before selling an exotic reptile, and makes the failure to notify the DNR a Class C infraction.

Effective Date: July 1, 2010.

Explanation of State Expenditures: The DNR must adopt rules concerning the issuance of an annual permit to sell, barter, or trade exotic reptiles by a person in the business and concerning the manner in which a person not in the business must notify the DNR if the person sells, barter, or trades an exotic reptile. The DNR will experience an increase in administrative expenses; however, the fees established for the permit could be used to pay for additional administrative expenses. Additionally, the DNR should be able to accomplish these tasks given its existing levels of appropriations. For FY 2009, the DNR reverted \$8 M to the General Fund and \$17.5 M in all funds.

Explanation of State Revenues: A person in the business of selling exotic reptiles must purchase an annual permit or receive legal authorization from the DNR. The fee for a permit may not exceed \$50 per year. Currently, there is no licensing or registration requirement required to sell exotic reptiles, so the specific

number of businesses is not known. For each 100 businesses that sell exotic reptiles, the DNR would collect \$5,000 per year. There are likely several hundred stores that sell exotic reptiles. It is estimated that the bill would generate less than \$15,000 per year. Permit revenue would be deposited in the Fish and Wildlife Fund.

Penalty Provision: A person who, without a permit, knowingly or intentionally releases an exotic animal or a wild animal into the wild commits a Class C misdemeanor. A person in the business of selling exotic reptiles who knowingly or intentionally sells or transfers an exotic reptile without a permit commits a Class C misdemeanor. The fine for a Class C misdemeanor is at least \$500 and not more than \$2,500.

A person not in the business of selling exotic reptiles who sells an exotic reptile without notifying the department in accordance with this section commits a Class C infraction. The maximum judgment for a Class C infraction is \$500.

Any additional revenue would likely be small. If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees and infraction judgments) would increase.

Explanation of Local Expenditures: *Penalty Provision:* A Class C misdemeanor is punishable by up to 60 days in jail.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

State Agencies Affected: DNR.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: DNR.

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