

HOUSE BILL No. 2297

By Committee on Agriculture and Natural Resources

Requested by Representative Seiwert

2-5

1 AN ACT concerning animals; authorizing the animal health commissioner
2 to issue permits for raccoon ownership; mandating that such raccoons
3 be vaccinated against rabies and other diseases and undergo annual
4 veterinary checkups; prohibiting persons from breeding raccoons in
5 captivity unless any such person is federally licensed for such purpose;
6 requiring the completion of an educational program on raccoon care
7 before permit issuance; implementing public awareness campaigns;
8 allowing inspections of permittee premises once per year unless
9 violations or complaints arise; providing for rehoming or euthanasia of
10 a raccoon if a permittee is unfit to care therefor; prohibiting local
11 regulations that are stricter than state law regarding raccoon ownership;
12 authorizing the commissioner to set fees for applications, renewals,
13 inspections and transfers, with fines for violations; allowing for appeal
14 or deferment of permit fees in extraordinary circumstances, with
15 potential fee waivers for ownership transfers.

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17 *Be it enacted by the Legislature of the State of Kansas:*

18 Section 1. (a) It shall be unlawful for any person to possess a raccoon
19 as a pet unless such person has obtained from the animal health
20 commissioner a raccoon ownership permit. Applications for any such
21 permit shall be made in writing on a form provided by the commissioner.
22 The permit period shall be for the permit year ending on January 31
23 following the issuance date.

24 (b) Raccoons possessed in accordance with this section shall be
25 vaccinated against rabies and other transmissible diseases and, each
26 calendar year, undergo veterinary checkups.

27 (c) Owners shall provide a safe, secure and conducive environment
28 for the raccoon. Enclosures shall meet minimum size and enrichment
29 standards.

30 (d) (1) It shall be unlawful for any person to breed raccoons in
31 captivity unless such person is licensed by the United States department of
32 agriculture for such purpose.

33 (2) The animal health commissioner shall establish a framework for
34 connecting permittees to such federally licensed raccoon breeders.

35 (e) (1) The animal health commissioner shall require applicants for a

1 raccoon ownership permit to complete a brief educational program on
2 raccoon behavior, care and handling before issuing a permit to such
3 applicant. Any such educational program shall be offered by the
4 commissioner or by an animal welfare organization approved by the
5 commissioner.

6 (2) The commissioner shall implement public awareness campaigns
7 to educate Kansas residents about the needs, care and responsibilities
8 associated with owning a pet raccoon.

9 (f) The animal health commissioner or the commissioner's
10 representatives may inspect the premises and records of any permittee not
11 more than once each permit year, unless the commissioner has:

12 (1) Discovered a violation of this section; or

13 (2) received a complaint that such premises is not being operated,
14 managed or maintained in accordance with rules and regulations adopted
15 pursuant to this section.

16 (g) (1) In the event that a permittee is found unfit to care for such
17 permittee's raccoon, the animal health commissioner shall work with the
18 Kansas department of wildlife and parks, animal rescue organizations or
19 sanctuaries to find a suitable new home for the raccoon.

20 (2) If rehoming such raccoon is not possible or such raccoon's health
21 is in critical condition, euthanasia may be utilized in accordance with
22 current veterinary practices.

23 (h) (1) No city, county or other political subdivision of this state, or
24 any contractor thereof, shall regulate or restrict raccoon ownership in any
25 matter that is stricter than what is required by state law or rules and
26 regulations adopted by the secretary.

27 (2) Any existing or future law, ordinance, rule, regulation or
28 resolution prohibited by paragraph (1) shall be null and void.

29 (i) (1) The commissioner shall adopt rules and regulations regarding
30 application payments and to set fees at amounts that do not exceed the
31 following:

32 (A) For an initial application, \$100;

33 (B) for an annual permit renewal, \$250;

34 (C) for an initial facility inspection, \$150;

35 (D) for a follow-up inspection, \$75 per additional inspection;

36 (E) for a late renewal, \$100; and

37 (F) for a permit transfer, \$150.

38 (2) If a permittee violates the provisions of this section, resulting in
39 the seizure of the permittee's raccoon, a \$1,000 fine shall be imposed to
40 cover the costs of rehoming and providing care for the raccoon.

41 (j) (1) In extraordinary circumstances, such as major illness,
42 unexpected loss of income or situations in which funds have been diverted
43 to cover the animal's acute medical care, a permittee may initiate an appeal

1 or permit deferment process. The permittee shall submit a written request
2 to the animal health commissioner, on a form provided by the
3 commissioner, explaining the circumstances and providing any required
4 supporting documentation.

5 (2) If approved by the commissioner, a permit renewal fee may be
6 deferred for up to six months, allowing time for recovery or resolution of
7 the applicable situation.

8 (3) If the circumstances indicate that it is in the best interest of the
9 raccoon to transfer ownership, the \$150 transfer fee may be waived to
10 facilitate rehoming and ensure proper care of such raccoon.

11 (k) The animal health commissioner shall adopt rules and regulations
12 to implement the requirements of this section.

13 (l) As used in this section, "raccoon" means any animal that is wholly
14 or partially of the species *Procyon lotor*.

15 Sec. 2. This act shall take effect and be in force from and after its
16 publication in the statute book.