

1 enclosures under certain circumstances; requiring
2 certain documentation; allowing for the nonstandard
3 housing of mobility-impaired exotic felines under
4 certain circumstances; providing for certain watering
5 and feeding requirements for exotic felines;
6 requiring certain veterinary care of exotic felines;
7 requiring regular immunizations; establishing certain
8 sanitation requirements; requiring certain removal
9 and disposal of bedding material; requiring a
10 veterinary care letter; providing for certain
11 inspections for certain purposes; allowing for
12 certain notice of inspections; requiring certain time
13 period for correction of deficiencies; permitting
14 certain appeals; requiring notification of escapes to
15 certain entities; making certain persons liable for
16 specified costs resulting from an escape; making
17 certain persons guilty of certain violations
18 responsible for expenses related to the seizure or
19 custody of an exotic feline; requiring certain
20 housing and maintenance of seized exotic felines;
21 requiring certain supervision of a seizure; directing
22 the State Board of Agriculture to promulgate rules;
23 providing for exceptions to the act; providing for
24 codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 6-701 of Title 2, unless there
is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Oklahoma
Responsible Exotic Cat Ownership Act".

B. The purpose of the Oklahoma Responsible Exotic Cat Ownership
Act is to protect the citizens and wildlife in this state by

1 establishing minimum requirements for the keeping and breeding of
2 exotic felines in captivity.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 6-702 of Title 2, unless there
5 is created a duplication in numbering, reads as follows:

6 For the purpose of public safety, exotic felines shall be
7 divided into three classes as follows:

8 1. Class I feline species shall include nonnative tigers,
9 lions, leopards, jaguars, or any hybrid thereof;

10 2. Class II feline species shall include nonnative cheetahs,
11 snow leopards, clouded leopards, or any hybrid thereof; and

12 3. Class III feline species shall include all other nonnative
13 species of wild cats, including, but not limited to, servals,
14 Canadian lynx, European lynx, caracals, jungle cats, ocelots,
15 fishing cats, Asian leopard cats, European Wildcats, margays,
16 Geoffroy cats, or any hybrid thereof except for domestic and wild
17 feline hybrid crosses.

18 SECTION 3. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 6-703 of Title 2, unless there
20 is created a duplication in numbering, reads as follows:

21 A. No person shall possess any native or nonnative nondomestic
22 feline in captivity except as authorized by a permit issued by the
23 Oklahoma Department of Agriculture, Food, and Forestry. Upon
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1 payment of the required fees and demonstration of the requirements
2 of the provisions of the Oklahoma Responsible Exotic Cat Ownership
3 Act, the Department shall issue a permit to possess, exhibit and/or
4 breed exotic felines.

5 B. The permit fee for a noncommercial breeder shall be Ten
6 Dollars (\$10.00) and the permit fee for a commercial breeder shall
7 be Forty-eight Dollars (\$48.00) per year for all classes of exotic
8 felines. Permit fees shall be commensurate with the actual
9 administrative costs required to administer permits. In no case
10 shall the permit fees be intended to be punitive or prohibitive.

11 C. Permits shall specify which class of feline species may be
12 possessed by the permit holder. Class I permits shall allow for the
13 possession of Class I, Class II, and Class III feline species.
14 Class II permits shall allow for the possession of Class II and
15 Class III feline species, and Class III permits shall only allow for
16 the possession of Class III feline species.

17 D. In order to receive a permit, individual applicants or, in
18 the case of facilities which are operated by corporations, the
19 individual responsible for the oversight of animal care, shall:

- 20 1. Be at least eighteen (18) years of age;
- 21 2. Not have been convicted of a felony violation of captive
22 wildlife regulations, illegal commercialization of wildlife, or
23 offenses involving cruelty to animals;

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1 3. Possess husbandry knowledge and handling experience
2 commensurate with the class of permit requested as follows:

- 3 a. Class I permits: A minimum of five hundred (500)
4 hours of practical experience providing care for one
5 or more felines from a Class I species. Experience
6 may be obtained by volunteering at an exotic sanctuary
7 which cares for exotic cats or by being a private
8 owner who has more than two (2) years experience with
9 a Class I feline,
- 10 b. Class II permits: A minimum of two hundred fifty
11 (250) hours of practical experience providing care for
12 one or more felines from a Class II species.
13 Experience may be obtained by volunteering at an
14 exotic sanctuary which cares for exotic cats or by
15 being a private owner who has more than two (2) years
16 experience with a Class II feline, and
- 17 c. Class III permits: A minimum of one hundred (100)
18 hours of practical experience providing care for one
19 or more felines from a Class III species. Experience
20 may be obtained by volunteering at an exotic sanctuary
21 which cares for exotic cats or by being a private
22 owner who has more than two (2) years experience with
23 a Class III feline;

1 4. Demonstrate compliance with the experience requirements by
2 submitting documentation of such experience, including:

- 3 a. a description of the specific experience acquired,
- 4 b. the dates the experience was obtained and the specific
5 licensed location or locations where the experienced
6 was acquired, if applicable,
- 7 c. references of not less than two state or federally
8 licensed facility operators having personal knowledge
9 of the applicant's stated experience, and
- 10 d. additional documentation as required by the
11 Department, which may include records of prior permits
12 for the keeping of captive wildlife, evidence of prior
13 ownership, and employment records;

14 5. Demonstrate significant practical knowledge on the subject
15 of exotic feline captive husbandry. The applicant shall provide a
16 letter from a licensed sanctuary or individual owner stating that
17 the applicant is recommended for a permit. The sanctuary or
18 individual owner shall not be held responsible for applicants. Once
19 an applicant is granted a permit, the permit holder shall not be
20 required to repeat such practical knowledge requirements in order to
21 change the class of permit; and

22 6. Submit a written plan for providing emergency and routine
23 health care, including vaccinations, parasite control, dietary

1 programs, and euthanasia protocol, as approved by a licensed
2 veterinarian who has signed and dated the plan.

3 E. Upon the effective date of this act, applicants for a permit
4 already in possession of exotic felines shall have sixty (60) days
5 to apply for and be issued a permit for the highest class of exotic
6 feline they possess at the time of application, or for the highest
7 class they can prove ownership of for two (2) consecutive years.
8 Such persons shall be exempt from the experience and testing
9 requirements of this section.

10 F. All permits issued pursuant to the Oklahoma Responsible
11 Exotic Cat Ownership Act shall expire on June 30 of each year.
12 Permit holders who wish to continue possession of an exotic feline
13 shall file an application for permit renewal at least thirty (30)
14 days prior to the expiration date of the permit.

15 G. All permit holders shall keep current records of the origins
16 of all permitted exotic felines on hand and records of exotic feline
17 transfers. The recipient's name, address, and permit number, if
18 required, shall be entered in the transferor's records and made
19 available for inspection upon request by the Department for a period
20 of three (3) years after transfer.

21 SECTION 4. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 6-704 of Title 2, unless there
23 is created a duplication in numbering, reads as follows:

1 A. Applicants for permits under the Oklahoma Responsible Exotic
2 Cat Ownership Act shall specify the location of the facility at
3 which exotic felines shall be maintained. The facility may be
4 inspected and approved by the Oklahoma Department of Agriculture,
5 Food, and Forestry prior to the issuance of a permit.

6 B. Class I and Class II felines shall not be possessed on any
7 premises of less than five (5) acres of land area. This requirement
8 shall not apply to facilities that possess either Class I or Class
9 II felines for at least thirty (30) continuous days prior to the
10 effective date of this act. Class III felines shall not be
11 possessed on any premises of less than two (2) acres of land area.

12 C. Exotic felines shall not be possessed in multiunit dwelling
13 or in housing residential communities.

14 SECTION 5. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 6-705 of Title 2, unless there
16 is created a duplication in numbering, reads as follows:

17 A. All exotic feline cages and enclosures shall be equipped to
18 provide for the protection and welfare of the exotic felines. The
19 equipment shall include, but not be limited to:

20 1. A shelter provided by a structure that provides protection
21 from the elements and extremes in temperature that could be
22 detrimental to the health and welfare of the exotic felines;

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1 2. A nest box or den provided by an enclosed shelter that
2 provides a retreat area attached to or inside a cage or enclosure
3 that provides protection from the elements and extremes in
4 temperature that could be detrimental to the health and welfare of
5 the exotic felines;

6 3. An elevated platform or area that provides a resting area
7 for the exotic felines as well as shade;

8 4. Enrichments that provide the opportunity for physical
9 stimulation or manipulation compatible with the species. The
10 enrichments shall be noninjurious and may include, but not be
11 limited to, boxes, balls, bones, barrels, rawhides, pools, and
12 scratch posts;

13 5. Cages or enclosures sufficiently strong enough to prevent
14 escape and to protect a caged exotic feline from injury. Cages
15 shall be well-braced and securely anchored at ground level to
16 prevent escape by digging or erosion. The fasteners and fittings
17 used in construction shall be constructed of materials that are at
18 least the equivalent in strength as those prescribed for cage
19 construction for each particular species;

20 6. Cage barriers that have a minimum height of four (4) feet
21 and that are a minimum distance of three (3) feet away from the
22 primary exotic feline enclosure. Barriers may be constructed from
23 materials such as fencing, moats, or closed meshed wire; provided,
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1 however, that all materials shall be safe and effective in
2 preventing public contact if the facility is open to the public;

3 7. A perimeter fence sufficient to deter entry by the public.
4 The perimeter fence shall completely surround the cage where exotic
5 felines are housed or exercised outdoors and shall be at least eight
6 (8) feet in height for Class I and Class II felines;

7 8. Doors or gates which may be locked when the perimeter is not
8 attended;

9 9. Safety entrances for all cages and enclosures which shall
10 allow a keeper to enter or exit a cage without providing an avenue
11 of escape to exotic felines. Safety entrances may include, but are
12 not limited to, a double-gated entry door, interconnecting cages
13 which can be isolated from each other, or a lock-down area. Safety
14 entrances shall be constructed of materials that are at least the
15 equivalent in strength as those recommended for cage construction
16 for each particular species;

17 10. For Class I and Class II species, lockout areas that allow
18 the keeper to access and clean the cage while the exotic feline is
19 contained in a separate area. Lockout areas may consist of a den
20 box with a door that also has access from outside the cage so that
21 the cage may be cleaned, or any other method that allows positive
22 separation of the exotic felines and the keeper; and

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1 11. Safety equipment which is available at all times. Safety
2 equipment may include carbon dioxide fire extinguishers, darting
3 equipment, and pepper spray.

4 B. Additional facility requirements for each class of exotic
5 felines shall be as follows:

6 1. Class I and Class II species:

7 a. cage construction materials shall consist of nine-
8 gauge chain link fencing or equivalent, and

9 b. exotic felines shall have access to an outdoor
10 enclosure; and

11 2. Class III:

12 a. enclosures shall be constructed with a minimum of
13 eleven-gauge chain link fencing or equivalent in a
14 welded wire,

15 b. exotic felines shall have access to an outdoor
16 exercise enclosure, and

17 c. exotic felines shall only be housed in the house of
18 the permit holder if all possible routes of escape
19 have been remedied.

20 C. Caging considered unsafe or otherwise not in compliance with
21 regulatory requirements shall be brought into compliance within
22 thirty (30) days of notification of noncompliance.

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1 SECTION 6. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 6-706 of Title 2, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Cage sizes for exotic felines permitted under the Oklahoma
5 Responsible Exotic Cat Ownership Act shall be as follows:

6 1. All Class I felines and cheetahs:

7 a. for one exotic feline, a cage floor size of no less
8 than three hundred (300) square feet and a cage height
9 of no less than eight (8) feet. The cage size shall
10 be increased by fifty percent (50%) for each
11 additional exotic feline, and

12 b. each cage shall have an elevated platform that shall
13 be large enough to accommodate all exotic felines
14 simultaneously. Each cage shall have a claw log;

15 2. Jaguars, leopards, and snow leopards:

16 a. for one exotic feline, a cage floor size of no less
17 than two hundred (200) square feet and a cage height
18 of no less than eight (8) feet. The cage size shall
19 be increased by fifty percent (50%) for each
20 additional exotic feline, and

21 b. each cage shall have an elevated platform large enough
22 to accommodate all exotic felines in the enclosure
23 simultaneously. Each cage shall have a claw log;

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1 3. Lesser cats, including lynx, ocelots, caracal, clouded
2 leopards, fishing cats, and jungle cats:

- 3 a. for one exotic feline, a cage floor size of no less
4 than one hundred (100) square feet and a cage height
5 of no less than six (6) feet. The cage sizes shall be
6 increased by fifty percent (50%) for each additional
7 exotic feline, and
- 8 b. each cage shall have an elevated platform and claw
9 log; and

10 4. Small cats, including Geoffroy cats, leopard cats, wildcats,
11 sand cats, margays, black-footed cats, and all other species not
12 specified in this section:

- 13 a. for one exotic feline, a cage floor size of no less
14 than one hundred (100) square feet with a cage height
15 of no less than six (6) feet. The cage sizes shall be
16 increased by fifty percent (50%) for each additional
17 exotic feline, and
- 18 b. each exotic feline shall have an elevated platform
19 which shall be large enough to accommodate all exotic
20 felines in the enclosure simultaneously. Each cage
21 shall have a claw log.

22 B. Facilities in existence at the effective date of this act
23 shall have six (6) months to make any improvements necessary to
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1 bring the facility into compliance with this section. The permit
2 holder shall submit a written plan for completing the improvements
3 to the Oklahoma Department of Agriculture, Food, and Forestry.
4 Extensions to the compliance deadline may be granted at the
5 discretion of the Department on a case-by-case basis.

6 C. Exotic felines may be temporarily housed in cages or
7 enclosures that do not meet the requirements of this section under
8 the following circumstances:

9 1. For the transport of performing and nonperforming exotic
10 felines, including a period not to exceed the forty-eight-hour
11 periods immediately preceding and following the time the exotic
12 feline is actually in transit;

13 2. Exotic felines being held for sale, veterinary care, or
14 quarantine which are temporarily housed in cages or enclosures
15 smaller than normally required for a period not to exceed thirty
16 (30) days within any twelve-month period unless under veterinary
17 instructions; provided, however, that such temporary caging or
18 enclosures shall not be smaller than that required for the caged
19 exotic feline to stand up, lie down, and turn around without
20 touching the sides of the enclosure or another feline. All
21 temporarily caged or housed exotic felines shall be permanently
22 marked or their enclosure shall be permanently marked so as to be
23 traceable to written records indicating the date the exotic feline

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1 was placed in temporary holding. The period the exotic feline may
2 be temporarily housed in cages or enclosures may be extended, with
3 prior written approval by the Department, in circumstances where a
4 licensed veterinary has certified that a longer holding period is
5 medically necessary for the health or safety of the exotic feline or
6 the public. Medical records concerning all exotic felines for which
7 an extension is obtained shall be maintained at the facility and
8 shall be made available for inspection upon request. Juvenile
9 exotic felines shall have written documentation available to verify
10 the age of the exotic feline, be marked or otherwise identifiable,
11 and be provided space for exercise on a daily basis;

12 3. Newborn and juvenile exotic felines kept in enclosures below
13 the standard caging size or strength requirements, in multiunit
14 dwellings, or on the premises of land that is less than the required
15 land area;

16 4. Newborn and juvenile exotic felines which are kept in
17 incubation and rearing facilities. Nursing young may be maintained
18 with their parents with no increase in required cage size for the
19 adult exotic feline for up to twelve (12) weeks, provided that
20 documentation is available to show the age of the newborn or
21 juvenile exotic feline; and

22 5. Temporarily unconfined exotic felines which are maintained
23 under rigid supervision and control so as to prevent injuries to
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1 members of the public. To provide for public safety, unconfined
2 exotic felines shall be controlled in such a manner as to prevent
3 physical contact with the public unless the facility is licensed by
4 the United States Department of Agriculture for exhibiting purposes
5 and the permit holder complies with all rules and guidelines
6 specified in the federal Animal Welfare Act. No captive feline
7 shall be tethered outdoors without supervision.

8 D. Exotic felines which are mobility-impaired may be housed in
9 cages or enclosures which do not meet the standard caging
10 requirements if a standard cage or enclosure or any required
11 accessories would be detrimental to the health or welfare of the
12 exotic feline. In such instances, written documentation by a
13 veterinarian confirming the need for such exemptions shall be
14 maintained by the permit holder and shall be made available to
15 representatives of the Department upon request.

16 SECTION 7. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 6-707 of Title 2, unless there
18 is created a duplication in numbering, reads as follows:

19 A. A constant supply of potable water at a temperature suitable
20 for consumption shall be available to exotic felines at all times.

21 B. Regular feeding schedules for exotic felines shall be
22 maintained. The rations supplied to the exotic felines shall be

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UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 adequate and nutritious so as to maintain proper strength and a
2 healthy appearance.

3 C. Areas used for food preparation and storage shall be
4 sufficiently clean so as to prevent contamination by pathogens or
5 harmful substances.

6 D. Food for exotic felines shall be refrigerated or stored in
7 such a manner as to prevent spoilage and contamination by rodents,
8 insects, or other animals.

9 SECTION 8. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 6-708 of Title 2, unless there
11 is created a duplication in numbering, reads as follows:

12 A. All exotic felines shall be provided with routine and
13 adequate veterinary care for injuries and for the control of
14 contagious, parasitic, and nutritional diseases. Veterinary care
15 shall include regular immunizations for the control of diseases as
16 recommended for the species and by the veterinarian.

17 B. A facility which houses exotic felines shall be kept
18 sanitary and regularly cleaned. Uneaten food shall be removed on a
19 daily basis to prevent the appearance of flies and maggots. Feces
20 shall be removed frequently enough to prevent accumulation or
21 potential contamination of food or bedding areas.

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1 C. Adequate provision shall be made for the removal and proper
2 disposal of dirtied bedding material in a manner designed to
3 minimize odor and vermin control.

4 D. Permit holders shall obtain a letter from a licensed
5 veterinarian indicating that the veterinarian is willing to be the
6 veterinarian of record for the exotic feline.

7 SECTION 9. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 6-709 of Title 2, unless there
9 is created a duplication in numbering, reads as follows:

10 A. The facilities, exotic felines, and records of a permit
11 holder may be inspected by a representative of the Oklahoma
12 Department of Agriculture, Food, and Forestry during reasonable
13 business hours for the purpose of verifying regulatory compliance
14 with the Oklahoma Responsible Exotic Cat Owners Act.

15 B. The inspector may give the permit holder at least twenty
16 four (24) hours notice prior to inspection. Prior notification of
17 an inspection is not required if the inspector has reason to believe
18 that the health or safety of the public or an animal is in danger.

19 C. The results of conditions observed by inspectors during
20 their inspections may be considered in determining whether to renew
21 or revoke a permit.

22 D. Permit holders shall be granted a minimum of thirty (30)
23 days to correct deficiencies identified during inspections.

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1 E. Permit holders shall have the right to appeal inspection
2 findings to the inspector's supervisors.

3 SECTION 10. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 6-710 of Title 2, unless there
5 is created a duplication in numbering, reads as follows:

6 A. Escapes of exotic felines shall be immediately reported to
7 the Oklahoma Department of Agriculture, Food, and Forestry, the
8 local animal control officer, and local law enforcement.

9 B. A permit holder found guilty of negligence resulting in the
10 escape of a permitted animal shall be liable for any costs incurred
11 in recapturing the exotic feline or for any damages resulting from
12 such escape.

13 C. Any person or persons found guilty of deliberately causing
14 an escape or damage to a facility containing exotic felines shall be
15 liable for any costs of repair or recapture or for any damages
16 resulting for such an escape.

17 SECTION 11. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 6-711 of Title 2, unless there
19 is created a duplication in numbering, reads as follows:

20 A. If a permit holder, owner, or possessor of an exotic feline
21 is found guilty of a criminal violation of the Oklahoma Responsible
22 Exotic Cat Ownership Act, the permit holder, owner, or possessor of
23 the exotic feline shall be responsible for the payment of all
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1 expenses relative to the exotic feline's capture, transport,
2 boarding, veterinary care, and other costs associated with or
3 incurred due to such seizure or custody. Failure to pay the
4 expenses shall be grounds for revocation or denial of permits to
5 such individuals to possess wildlife.

6 B. Exotic felines which are kept by permit holders that are
7 seized or taken into custody by the Oklahoma Department of
8 Agriculture, Food, and Forestry shall be housed and maintained in a
9 manner consistent with the conditions of the owner's permit.

10 C. A seizure of an exotic feline by the Department shall be
11 initiated and supervised by at least two officials from the
12 Department.

13 SECTION 12. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 6-712 of Title 2, unless there
15 is created a duplication in numbering, reads as follows:

16 The State Board of Agriculture shall promulgate any rules
17 necessary to implement the provisions of the Oklahoma Responsible
18 Exotic Cat Ownership Act.

19 SECTION 13. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 6-713 of Title 2, unless there
21 is created a duplication in numbering, reads as follows:

22 Persons and facilities licensed by the United States Department
23 of Agriculture, educational facilities, persons who keep or maintain

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1 native cats that will grow to reach the weight of fifty (50) pounds
2 or more and which are subject to regulation by the Department of
3 Wildlife Conservation and any nonprofit organization which keeps or
4 maintains exotic felines that was organized and granted an exemption
5 from taxation pursuant to Section 501(c)(3) of the Internal Revenue
6 Code, 26 U.S.C., Section 501(c)(3) prior to the effective date of
7 this act shall be exempt from the requirements of the Oklahoma
8 Responsible Exotic Cat Ownership Act.

9 SECTION 14. This act shall become effective November 1, 2012.

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COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE, WILDLIFE AND ENVIRONMENT, dated 03/29/2012 - DO PASS, As Amended.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.