

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4
5 By: Senator P. Malone
6

A Bill

SENATE BILL 901

For An Act To Be Entitled

8 AN ACT TO PROTECT THE PUBLIC HEALTH BY RESTRICTING
9 THE PRIVATE OWNERSHIP OF NONHUMAN PRIMATES; AND FOR
10 OTHER PURPOSES.

Subtitle

14 AN ACT TO PROTECT THE PUBLIC HEALTH BY
15 RESTRICTING THE PRIVATE OWNERSHIP OF
16 NONHUMAN PRIMATES.

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21 SECTION 1. Arkansas Code Title 20, Chapter 19, is amended to add an
22 additional subchapter to read as follows:

23 Subchapter 6 – Private Ownership of Nonhuman Primates

25 20-19-601. Definitions.

26 As used in this subchapter:

27 (1) "Primate" means an individual of the primate species except
28 for a human being; and

29 (2)(A) "Wildlife sanctuary" means a nonprofit organization under
30 § 501(c)(3) or (4) of the Internal Revenue Code of 1986, as it existed on
31 January 1, 2011, that operates a place of refuge where abused, neglected,
32 unwanted, impounded, abandoned, orphaned, or displaced primates are provided
33 care for their lifetimes.

34 (B) "Wildlife sanctuary" does not mean a place that:

35 (i) Conducts any activity that is not inherent to
36 the primate's nature;



- 1 (ii) Uses the primate for any type of entertainment;
- 2 (iii) Sells, trades, or barter a primate or a
- 3 primate's body parts; or
- 4 (iv) Breeds the primate.

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6 20-19-602. Prohibited acts.

7 (a) Except as permitted under this subchapter, it is unlawful for a

8 person to:

- 9 (1) Own or possess a primate;
- 10 (2) Breed a primate; or
- 11 (3) Transfer ownership or possession of or receive a transfer of
- 12 ownership or possession of a primate, with or without remuneration.

13 (b) Except as permitted under this subchapter, it is unlawful for a

14 person or other entity in control of any property, residence, or business

15 premises knowingly to permit any other person to be in possession of a

16 primate upon the property, residence, or business premises.

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18 20-19-603. Exemptions.

19 This subchapter does not apply to:

- 20 (1) An institution accredited by the Association of Zoos and
- 21 Aquariums;
- 22 (2) A registered nonprofit humane society;
- 23 (3) An animal control officer or law enforcement officer acting
- 24 under the authority of this subchapter;
- 25 (4) A veterinary hospital or clinic;
- 26 (5) A wildlife sanctuary;
- 27 (6) An employee of the Arkansas State Game and Fish Commission
- 28 in the performance of the employee's duties;
- 29 (7) A person holding a valid Arkansas State Game and Fish
- 30 Commission Scientific Collection Permit applicable to a primate; or
- 31 (8) A person or organization with an Arkansas State Game and
- 32 Fish Commission Wildlife Breeder/Dealer Permit.

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34 20-19-604. Penalty.

35 A person who violates § 20-19-602 is guilty of a Class A misdemeanor.

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