

LICENSE TO BREED LARGE CARNIVORES

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<http://www.house.mi.gov/hfa>

House Bill 5092 as introduced
Sponsor: Rep. Matthew Bierlein
Committee: Regulatory Reform
Complete to 10-15-25

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5092 would amend the Large Carnivore Act to change certain requirements for obtaining a license to breed large carnivores. As defined in the act, *large carnivore* means a lion, tiger, leopard, jaguar, cougar, or cheetah; a hybrid cross with any of those large cats; or a bear. The act allows persons that meet certain requirements to apply to the Department of Agriculture and Rural Development (MDARD) for a large carnivore breeding license.¹ The holder of such a license must comply with specified requirements and prohibitions.² The bill would change what counts as noncompliance with certain federal standards that an applicant must meet to be eligible for a breeding license.

Currently, an applicant must meet all of the following to be eligible to apply for a breeding license:

- Conduct a for-profit or nonprofit business whose primary purpose is the presentation of animals including large carnivores to the public for education or exhibition purposes.
- Not allow a patron to come into direct contact with a large carnivore.
- Not sell large carnivores, except to another person that meets these requirements for a large carnivore breeding license.
- Have and maintains a class C (exhibitor) license under the federal regulations contained in 9 CFR parts 1 and 2.³
- Meet or exceed all standards required of a class C licensee under 9 CFR parts 1 and 2, including at least standards for training, housing, care, and transport of large carnivores. A licensee is considered *not* to meet this requirement if during the last five years the U.S. Department of Agriculture (USDA) has confiscated an animal of the licensee, issued a finally determined direct or critical noncompliance to the licensee, or issued a civil penalty against the licensee (including a cease and desist order, monetary penalty, or license suspension or revocation).

The bill would retain the first four bulleted requirements above. With regard to the last one, the bill would still require the applicant to meet or exceed all standards required of a class C

¹ Licenses are issued under section 22b: <https://www.legislature.mi.gov/documents/mcl/pdf/MCL-287-1122B.pdf>

² Described in section 22c: <https://www.legislature.mi.gov/documents/mcl/pdf/MCL-287-1122C.pdf>

³ 9 CFR Part 2 contains the applicable regulations: <https://www.ecfr.gov/current/title-9/chapter-I/subchapter-A/part-2>
9 CFR Part 1 defines terms used in Part 2: <https://www.ecfr.gov/current/title-9/chapter-I/subchapter-A/part-1>

See also https://www.aphis.usda.gov/sites/default/files/ac_bluebook_awa_508_comp_version.pdf In relation to these regulations, note that Class C licenses are specifically for *exhibitors*—persons whose business involves showing animals to the public for compensation, whether or not for profit, including zoos, carnivals, circuses, animal acts, and educational exhibits. The term *exhibitor* generally does not include pet stores, horse races, livestock shows, state or county fairs, rodeos, field trials, coursing events, falconry, dog or cat shows, bird fancier shows, or other agricultural fairs or exhibitions.

licensee under 9 CFR parts 1 and 2, but it would no longer refer to specific standard areas. More substantively, under the bill, a person would be considered *not* to meet this requirement if during the last five years any federal or state license held by the person has been suspended or revoked or if during the last five years the person has been made subject to a cease and desist order.

MCL 287.1122a

FISCAL IMPACT:

A fiscal analysis is in progress.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.