

# ARKANSAS LAWS

## UAPPEAL

### **LIVE WILDLIFE in captivity**

BANS possessing, holding, confining or enclosing live wildlife in captivity unless specifically allowed.

- [R1.01 Unrestricted Captive Wildlife Species List](#) (no wildlife breeder/dealer/importation permit needed)
- [R1.02 Permitted Captive Wildlife List](#) (legal – need wildlife breeder/dealer permit for breeding and sale and importation permit for import)
- [R1.03 Prohibited Captive Wildlife List](#) (no wildlife breeder/dealer/importation permit issued) – Allows import and wildlife/breeder dealer permits for species with a \*\* owned on 5/1/2020.

#### EXEMPT:

- AZA zoos
- as allowed by the chapter
- aquatic wildlife in compliance with bullfrog (Ch. 29), commercial fishing (Ch. 30), freshwater mussel (Ch. 31), baitfish (Ch. 32), alligator farmer (Ch. 33), aquatic turtle (Ch. 34), and live fish trade (Ch. 35) regulations
- temporarily holding for training dogs or field trials (captive-reared mallards, pen-raised Northern bobwhite, coyote, fox, squirrel, or raccoon) along with approved species in J1.00
- bona fide scientific research, education, or conservation efforts with relevant permit
- USFWS migratory bird permit from permit only (USFWS Raptor Propagation Permit holders do not need wildlife breeder/dealer permit)
- R1.01 unrestricted species
- terrestrial invertebrates not otherwise regulated

#### PERMITS:

- Commercial Wildlife Hunting Resort Permit
  - Must sell or euthanize wildlife if not renewed
- Game Bird Shooting Resort Permit
  - Must sell or euthanize wildlife if not renewed except those allowed under non-native wildlife and native wildlife pets
- Wildlife Breeder/Dealer Permit (rear, breed, propagate, produce, distribute or sell wildlife)
- Scientific Collection Permit (take wildlife for scientific study)
- Wildlife Importation Permit (import live wildlife including transport through state)
- Wildlife Rehabilitation Permit (take or possess sick, injured, orphaned, or impaired native wildlife, except migratory birds, for rehabilitation)
- Falconry Permit (possess, take, or transport raptors or use to take game animals or game birds) – see F1.07
- Live Fox and Coyote Permit (sell live wild-caught gray fox, red fox, or coyote to foxpen)

- May only hold 30 days per animal
- Venomous Reptile Permit (possess medically significant venomous reptile after 7/1/2021)
- Conservation Education Permit (take more than 6 wild-caught animals for education)
- Shoot-to-Kill Bird Dog Training Permit (release bobwhite, chukar, or ring-necked pheasants on private property for bird dog training)

(Arkansas Game and Fish Code § 09.01)

## **MOUNTAIN LIONS**

BANS mountain lions

- EXEMPT: AZA, Wildlife Breeder/Dealers with mountain lion permits on 9/30/2007

## **LARGE CARNIVORES**

BANS owning, breeding or transferring ownership of large carnivores (tigers, African lions, hybrids, and bears) after August 12, 2005. [FACT SHEET](#)

- EXEMPT: AZA, nonprofit humane societies, animal control or law enforcement officers, veterinary hospitals or clinics, USDA exhibitor permit holders, department employees, scientific collection permit holders, and state wildlife breeder or dealer permit holders
- GRANDFATHERING: Those owned 8/12/2005 with a \$250 personal possession permit that meet USDA or ZAA standards, \$100,000 liability insurance, signs, spayed or neutered, and not taken it to commercial or retail establishment except vet requirements

(20 Ark. Code Ann. Ch.19, Subch.5)

## **NONHUMAN PRIMATES**

BANS import, possession, sale and breeding of apes, baboons, and macaques, and BANS tethering ANY primate outdoors.

- EXEMPT (includes caging requirements): facilities accredited by zoological accrediting agencies like AZA or ZAA OR AZA SSP certified related facility, research facilities, wildlife sanctuaries, temporary holding facilities, law enforcement, veterinarians, circus (USDA Class C in state less than 90 days/year, conducts performances with dangerous wild animals and human entertainers and has sufficient distance and barriers), those transporting one through the state within 10 days (if department notified), temporary transport regarding prior possession
- GRANDFATHERING: those owned 8/16/2013 and registered, record of prior ownership, no purchase or breeding new ones, NO guilty plea, nolo contendere to or guilty conviction to animal abuse or neglect, NO court order to forfeit, NO animal license revocation in last 6 months, facility standards met, NO bringing to commercial or retail establishment except owner's facility, veterinarian's office, educational facility, facility rented for education, or a hotel or motel and microchip unless harmful

BANS direct contact of primates.

- EXEMPT: owner, their family and guests

BANS primate commercial breeding facilities (no exceptions)

REGISTRATION and microchipping of ALL primates within 30 days.

- Need 1) name, address, and telephone number, 2) description of each primate, 3) photograph of primate and enclosure, 4) location, 5) name, address, and telephone number where obtained, 6) written signed statement with name and address of veterinarian - \$50 initial and \$10 additional
- Must NOT tether outdoors and must meet USDA caging and care standards

(20 Ark. Code Ann. Ch.19, Sub. 6)

## **NATIVE WILDLIFE PETS**

LEGAL to keep the following native wildlife pets:

- Wild: 6 hand-caught (includes hand-held, manually-operated aids such as tongs and snake hooks) of each of the following allowed to be kept as pets: opossums, rabbits, raccoons, squirrels, white-tailed deer obtained by 6/30/12, bobcats and coyotes and gray and red foxes owned 7/1/22, or native nongame wildlife other than birds, bats, alligator snapping turtles, ornate box turtles, hellbenders, Ouachita streambed salamanders, collared lizards, troglodytic species (cave dwellers), or endangered species.

- Captive: Allows 6 each of captive born listed species as pets from wildlife breeder/dealer permittee, under the 20 permitted list animals allowed to be sold or transferred without a permit, or from import and may only be sold under such permit. Unrestricted captive wildlife species in R1.01 are exempt. Captive-born birds must be kept in buildings or covered pens or are considered to have escaped.

BANS all other native wildlife as pets.

- EXEMPT:
  - Unrestricted captive-born species
  - Aquatic pets under that code
  - Conservation Education Permit for more than 6 wild-caught
- GRANDFATHERING:
  - Deer hand-caught by 7/1/2012
  - Captive-born white-tailed deer or elk acquired by 6/30/2005 if registered with the Wildlife Management Division by 6/30/2008

BANS export of wild-caught including offspring except moving to another state under permit

BANS sale or transfer of wild-caught including offspring except to rehabilitator

#### REQUIREMENTS:

- Males and females kept separate or males neutered
- Must be in sufficiently strong enclosures
- Must be kept in humane conditions
- legally obtained from Wildlife Breeder/Dealer, acquired by someone who is registered to sell or transfer up to 20 permitted wildlife per year (except large carnivores, mountain lions, primates, Cervids and prohibited species), or import
- vet certified free from diseases and parasites
- Grandfathered cervids must be kept in enclosures with 8' perimeter fence and is 200 sq ft. for 1st one and 150 per additional and must notify Commission of results of positive CWD test in 7 days
- Meet medically significant venomous reptile caging and transport rules starting 1/1/21
- Wild-caught: Allows transfer to rehabilitator for release except white-tailed deer
- Captive-born: Captive-born & offspring must be separate from wild-caught & offspring
- May only sell under Wildlife Breeder/Dealer or the 20 animal exception above

(Arkansas Game and Fish Code § 09.14)

## **NON-NATIVE WILDLIFE IN CAPTIVITY (UNLISTED)**

LEGAL as pets if legally obtained with vet documentation they are free from diseases, kept in humane conditions, males either neutered or kept separate, and kept in enclosures sufficient to prevent escape and protect against injury. Must be from wildlife breeder/dealer, imported or come from the provision that allows 20 permitted wildlife to be sold/transferred a year by residents without a license. Birds must be in buildings or covered pens.

(Arkansas Game and Fish Code § 09.02)

## **RELEASE**

BANS releasing wildlife without permission.

- EXEMPT:
  - Game Bird Shooting Resort Permit (Captive-raised northern bobwhite, ring-necked pheasant, chukar)
  - Wildlife Rehabilitation Permit (native except cougars)
  - Training dogs or conducting field trials (raccoon, fox, coyote, captive-reared mallards, pen-raised northern bobwhite, chukar or ring-necked pheasant)
  - Falconry Permit
  - ratites not in buildings or covered pens

(Arkansas Fish and Game Code § 09.03)

## **WOLVES AND WOLF-DOG HYBRIDS**

LEGAL with a limit of 4 per acre and these requirements:

- Maintain health records and records of acquisitions and disposals
- Allow inspections
- Rabies vaccination
- Special bite protocols
- Need certificate of veterinary inspection for import
- Adults:
  - Adequate feeding: daily food and water with 25%+ meat-based protein content and 15% crude fat except geriatric and overweight animals
  - 4' square secluded den per animal
  - Double length for a pair and add 10' to single length and width per additional

- Adequately confined: brick, concrete, or chain-link enclosure with 2 fencing layers with 1) inner chain-link fence of 15' x 8' x 10' OR electric fence 2' underground or prevents digging, and 2) 8' high outer fence at least 4' from inner OR electric inner fence with warning signs and locked gate

BANS tethering when not under direct supervision and control

BANS import from rabies-quarantined areas

(20 Ark. Code Ann. Ch. 19, Subch.4)

## **ALTERNATIVE LIVESTOCK**

Alternative livestock are regulated as farm animals.

- LIST:
  - non-native ratites (i.e. ostriches, emus, and rheas)
  - non-native cervids
  - camelids (i.e. llamas, alpacas, and guanacos)

(Ark. Code Ann. § 2-32-101)

## **ENDANGERED SPECIES**

BANS import, transport, sale, purchase, hunting, harassment, and possession of threatened or endangered species including federal ones

- LIST:
  - Federally listed species
  - State species under [P1.01](#)
- EXEMPT:
  - Legally acquired wildlife held under permit or by a public zoo or museum
  - Wildlife taken legally outside the state
  - Articles manufactured before 1/1/1973
  - Allowed under Scientific Collection Permit, alligator hunting, Depredation Permit, Predator Control Permit and Falconry Permit
  - Allowed by federal law

(Arkansas Game and Fish Code § 05.27)

# LIVESTOCK & POULTRY IMPORT PERMIT & RULES

PERMIT (Livestock and Poultry Entry Permit) is required to import the listed animals. Those animals plus cattle, sheep, horses, goats, cats, dogs, turkeys, chickens and domestic fowl need a Certificate of Veterinary Inspection.

- LIST:
  - swine
  - zoo, fur-bearing and other wild and/or exotic animals
  - ratites
  - camelids
  - cervids
  - passerine birds
  - psittacine birds
  - all other avian except poultry
  
- REQUIREMENTS:
  - Ratites must test negative for avian influenza within 30 days and have permanent ID
  - Cervids need 1) permanent ID, 2) negative brucellosis test within 30 days, from a Certified Brucellosis-Free Cervid Herd or Brucellosis-Monitored Cervid Herd within 90 days if over 6 months, 3) 2 negative TB tests at least 90 days apart with last one within 90 days of import
  - Camelids need certificate within 30 days and ID (allows registry with photos)
  - Exotic ruminants need negative TB and brucellosis within 30 days
  - Zoo, fur-bearing and other wild animals must meet any species-specific testing
  - Game birds, quail, pheasants, peafowl, turkeys, and waterfowl follow poultry requirements

(AR health requirements governing the entry of livestock, poultry, and exotic animals)

## [IMPORT](#)

### TAKING BIRDS AND EGGS

BANS taking wild birds or eggs from the wild, including red-winged blackbird, common grackle, Brewers blackbird, great-tail grackle, brown headed cow bird, American crow and fish crows.

- EXEMPT: house sparrow, European starlings, rock doves, AGFC employees or researchers, as allowed under falconry rules, and as allowed under the Migratory Bird Treaty Act

(Arkansas Game and Fish Code § 14.01)