

1 AN ACT relating to wildlife rehabilitation.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔ Section 1. KRS 150.280 is amended to read as follows:

4 *(1) As used in this section:*

5 *(a) "Ambassador animal" means an animal that:*

- 6 *1. A licensed Kentucky veterinarian has certified in writing is*
- 7 *nonreleasable;*
- 8 *2. A permit holder has certified in writing does not currently carry rabies*
- 9 *and is inoculated against rabies;*
- 10 *3. A permit holder has certified in writing is free from any disease or*
- 11 *ailment which may be harmful to a person or animal that comes in*
- 12 *contact with that animal;*
- 13 *4. Is housed and maintained under the supervision of a permit holder;*
- 14 *and*
- 15 *5. Is exhibited and displayed by a permit holder for wildlife conservation*
- 16 *and rehabilitation education purposes;*

17 *(b) "Permit holder" means a holder of a valid wildlife rehabilitation permit*

18 *issued by the department;*

19 *(c) "Volunteer" means a person who assists a permit holder with wildlife*

20 *rehabilitation and is certified in writing by the permit holder to be:*

- 21 *1. Trained by a permit holder in wildlife rehabilitation;*
- 22 *2. Inoculated against rabies, if they are working with rabies vector*
- 23 *species; and*
- 24 *3. Supervised by the permit holder any time that the volunteer performs*
- 25 *wildlife rehabilitation work; and*

26 *(d) "Wildlife rehabilitation" means the process of obtaining, rescuing, raising,*

27 *providing supportive care, regularly transporting, and arranging for*

1 *veterinary medical care of orphaned, sick, displaced, or injured wildlife with*
2 *the goal of releasing the wildlife back into its natural habitat.*

3 ~~(2)~~~~(1)~~ Except as provided by administrative regulation, a person shall not propagate
4 or hold protected wildlife without obtaining a permit to do so from the department.
5 The department shall promulgate administrative regulations governing all such
6 activity and prescribing permit fees. Any permit issued pursuant to this section may
7 be revoked for a violation by the holder thereof of any of the provisions of this
8 chapter, any administrative regulation of the department, or hunting, fishing, or
9 wildlife laws of the federal government.

10 ~~(3)~~~~(2)~~ The department shall by administrative regulation identify species of wildlife
11 potentially damaging to native ecosystems and shall prohibit the transporting or
12 holding of these wildlife.

13 ~~(4)~~ *Any administrative regulation promulgated under this chapter relating to wildlife*
14 *rehabilitation shall be subject to the following requirements and limitations:*

15 *(a) Permit holders may house and maintain nonreleasable wildlife as*
16 *ambassador animals for wildlife conservation and rehabilitation education*
17 *purposes. Ambassador animals shall be exempt from all administrative*
18 *regulations regarding exhibit and display restrictions, release requirements,*
19 *restrictions on housing and maintaining wildlife, including rabies vector*
20 *species, and any requirements and restrictions regarding release of wildlife;*

21 *(b) Volunteers may assist permit holders in all areas of wildlife rehabilitation.*
22 *Volunteers shall be exempt from the restrictions that apply to persons who*
23 *do not hold permits and may perform all wildlife rehabilitation duties*
24 *available to permit holders;*

25 *(c) A permit holder shall release wildlife immediately upon recovery from*
26 *injury or illness, when of a suitable age to reasonably survive in the wild,*
27 *and into an appropriate habitat for that species, subject to the following*

requirements:

1. A permit holder shall only keep wildlife in a rehabilitation facility for the amount of time necessary to achieve a reasonable expectation of survivability for that particular species. A stay in rehabilitation facility shall not exceed one hundred eighty (180) days unless:

a. A licensed Kentucky veterinarian certifies in writing that the animal is nonreleasable;

b. A permit holder certifies in writing that, upon one hundred eighty (180) days in captivity, the weather or environmental conditions of the habitat in which the animal should be released are not suitable or appropriate for release and require an extension of stay; or

c. Written documentation from the United States Fish and Wildlife Service is provided; and

2. Wildlife shall be released at the time and location that is most appropriate for survival of that species. If the permit holder chooses to depart from any release guidelines found in administrative regulations promulgated under this chapter, the permit holder shall certify in writing to the department his or her reason for departing from the guidelines; and

(d) A permit holder may possess, rehabilitate, or attempt to rehabilitate a rabies vector species, regardless of the location of the rehabilitation facility and the collection location of the animal if the permit holder has been inoculated against rabies.