

# **Arkansas Game and Fish Commission**

## **Code Book**

**The regulations in this Code Book are hereby adopted by the Arkansas State Game and Fish Commission under authority of Amendment 35 to the Constitution of the State of Arkansas. All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.**

## **09.00 Captive Wildlife And Hunting Resort Regulations**

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## 09.01 Possession Of Certain Wildlife In Captivity Prohibited

It is unlawful to possess, hold captive, confine, or enclose any live wildlife, whether native or non-native, migratory or imported, unless otherwise specified herein.

### EXCEPTIONS:

- A. Accredited members of the Association of Zoos and Aquariums.
- B. Persons possessing and holding captive wildlife in compliance with Chapter [09.00](#).
- C. Persons possessing and holding captive fish, bullfrogs, mussels, aquatic turtles, alligators, and other aquatic wildlife in compliance with Chapters [29.00](#), [30.00](#), [31.00](#), [32.00](#), [33.00](#), [34.00](#), [35.00](#) and Addendum Chapter [J1.00](#).
- D. Persons may be permitted to possess and hold captive on a temporary basis captive-reared mallards, pen-raised northern bobwhite, coyote, fox, squirrel, or raccoon for the sole purpose of dog training or conducting field trials sanctioned by the American Kennel Club, National Field Retriever Association, North American Hunting Retriever Association, Hunting Retrievers Club, United Kennel Club, Professional Kennel Club, or American Coon Hunters Association upon requesting and receiving a Shoot-to-Kill Retrieving Dog Training Permit (for captive-reared mallards) and/or written approval from the Chief of Wildlife Management.
- E. Persons determined by the Commission to be involved in bona fide scientific research, education, or conservation efforts of significant benefit to wildlife or wildlife habitat in Arkansas may be permitted to possess and hold captive wildlife in compliance with the terms of a special permit issued by the Chief of Wildlife Management.
- F. RESERVED.
- G. Persons with a valid U.S. Fish and Wildlife Service migratory bird permit may possess migratory birds in compliance with the terms of that permit. Holders of this permit are not exempt from subsequent regulations in Chapter [09.00](#). Holders of a valid U.S. Fish and Wildlife Service Raptor Propagation Permit are not required to obtain a Commission Wildlife Breeder/Dealer Permit to propagate or distribute raptors.
- H. Persons may possess species listed in Addendum [R1.01](#).
- I. Persons may possess terrestrial invertebrate species not otherwise prohibited by this Code or by federal or state regulations.

### PENALTY: Class 2

- A. Any wildlife possessed in violation of this regulation may be declared contraband and subject to immediate seizure.

- B. Upon conviction, or before, if so ordered by a court having legal jurisdiction, title to the wildlife shall be forfeited to the Commission and released or disposed of in compliance with Commission policy.
- C. Any person convicted of violating this regulation shall be liable for the costs accrued in the storage, care, and maintenance of any equipment or wildlife seized in connection with the violation.
- D. Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegal wildlife and also shall be liable for the costs of destruction and/or disposal of the illegal wildlife, as deemed necessary by the Commission for the protection of native wildlife.

## 09.02 Possession Of Non-Native Wildlife In Captivity Restricted

- A. It is unlawful to possess captive non-native wildlife not excepted under Code [09.01](#) or Addendum [R1.01](#), unless the possessor can produce written documentation that such wildlife was legally obtained in accordance with Section G of this regulation and has been certified by an accredited veterinarian to be free of diseases and parasites that may pose an adverse risk to native wildlife.
- B. It is unlawful for any person to possess mountain lions (*Puma concolor*) except in compliance with Codes [09.07](#).
- C. It is unlawful to possess tigers, African lions, and all species of bears not in compliance with Ark. Code Ann. §§ 20-19-501 through 20-19-511 or Code [09.07](#).
- D. It is unlawful to keep non-native wildlife under inhumane or unhealthy conditions.
- E. All non-native wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are sufficiently strong to prevent escape of the wildlife and that will protect the wildlife from injury. Birds shall be kept in buildings or covered pens.
- F. Males and females of the same species must be kept in separate enclosures, or if kept in the same enclosure, the owner shall provide proof that all males or all females within the enclosure have been neutered.
- G. Animals shall either be acquired from either a Commission-permitted Wildlife Breeder/Dealer, acquired in accordance with Code 9.07 Exception I, or have been brought into the state in accordance with a Commission Wildlife Importation Permit. Owners shall maintain records of proof of legal ownership of such animals including licenses, bills of sale, bills of lading, receipts, invoices and copies of Wildlife Importation Permits or other satisfactory evidence. The date of acquisition, place of origin, and the name, address, and telephone number of the person from whom the wildlife was acquired shall be recorded. Owners shall provide these records to the Commission upon demand.
- H. It is unlawful for any person to possess a primate except in compliance with Ark. Code Ann. §§ 20-19-601 through 20-19-610.
- I. Medically significant venomous reptiles must be kept in accordance with a Venomous Reptile Possession Permit (Code [09.17](#)).

### **PENALTY:** Class 2

- A. Any person convicted of violating this regulation shall be liable for the costs incurred in the storage, care, and maintenance of any equipment, wildlife, and/or fish seized in connection with the violation.
- B. Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegally possessed wildlife, and also shall be liable for the costs of destruction

and/or disposal of the illegally possessed wildlife, as deemed necessary by the Commission for the protection of native wildlife.

## **09.03 Release Of Wildlife Prohibited**

It is unlawful to release wildlife from captivity without prior written approval from the Commission. Birds that are not kept in buildings or covered pens shall be considered to have been released from captivity. To protect the health and safety of the public and the wildlife resources, the Commission and its designees are authorized to recapture or dispatch any wildlife, whether kept legally or illegally, that escapes from or is illegally released from captivity.

### **EXCEPTIONS:**

- A. Captive-raised northern bobwhite, ring-necked pheasant, chukar and mallards may be released in compliance with a Game Bird Shooting Resort Permit
- B. Native wildlife, other than mountain lions, may be released in compliance with a Commission Wildlife Rehabilitation Permit or a U.S. Fish and Wildlife Rehabilitation Permit
- C. Persons may be permitted on a temporary basis to possess, hold captive and release raccoon, fox, coyote, captive-reared mallards, pen-raised northern bobwhite, chukar or ring-necked pheasant for the purposes of training dogs or conducting field trials sanctioned by the American Kennel Club, National Field Retriever Association, North American Hunting Retriever Association, Hunting Retrievers Club, United Kennel Club or American Coon Hunters Association upon requesting a Shoot-To-Kill Retrieving Dog Training Permit and/or (for captive-reared mallards) and/or receiving written approval from the Chief of Wildlife Management
- D. In compliance with (Code [09.15](#))

### **PENALTY:** Class 3

- A. Any person convicted of violating this regulation shall be liable for the costs accrued by the Commission in the recapture, including all man hours of Commission personnel, storage and care of any released and/or recaptured wildlife in connection with the violation
- B. Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the released wildlife and shall be liable for the costs of destruction and/or disposal of the released wildlife, as deemed necessary by the Commission for the protection of native wildlife

## 09.04 Hunting Of Captive Wildlife Prohibited

It is unlawful to hunt any wildlife held captive, enclosed or confined. It also is unlawful for any person to introduce or place any wildlife into any environment in which it is held captive, enclosed or confined for the purpose of hunting such wildlife.

### EXCEPTIONS:

- A. In compliance with Codes [05.10](#), [08.05](#), [09.05](#), [09.06](#), 09.11
- B. Commission approved facilities containing only red fox, gray fox and coyote (fox pens)
- C. Native game animals, except black bear and elk, may be hunted in enclosures for non-commercial purposes without a Commercial Wildlife Hunting Resort Permit, provided it is done in compliance with all statewide hunting regulations, including bag limits and license requirements

**PENALTY:** Class 3

## 09.05 Commercial Wildlife Hunting Resort Permit Required

It is unlawful to operate or maintain a commercial wildlife hunting resort without first obtaining a valid Commercial Wildlife Hunting Resort Permit from the Commission. Commercial Wildlife Hunting Resort Permits for new facilities for the hunting of any member of the Family Cervidae shall not be issued after June 30, 2006 (Addendum [F1.01](#)). For the purposes of this regulation, "new facility" means a facility that did not exist or was not initially permitted prior to July 1, 2006, or that has not been continuously permitted and operated since that date. No existing permit can be transferred to another person, firm or corporation rearing, breeding, propagating, producing or distributing any member of the Cervidae family.

### EXCEPTION:

A Commercial Wildlife Hunting Resort Permit is not required for pens in which only red fox, gray fox or coyote are pursued (fox pens) unless the facility is also a high-fence enclosure in which other native game species are hunted as part of a commercial operation

**PENALTY:** Class 3

- A. Any person convicted of violating this regulation shall be liable for the costs accrued in the storage, care and maintenance of any equipment and/or wildlife seized in connection with the violation
- B. Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegal wildlife, and also shall be liable for the costs of destruction and/or disposal of the illegal wildlife, as deemed necessary by the Commission for the protection of native wildlife



## **09.06 Game Bird Shooting Resort Permit Required**

It is unlawful to operate or maintain a game bird shooting resort without first obtaining a valid Game Bird Shooting Resort Permit from the Commission (Addendum [F1.02](#)).

**PENALTY:** Class 3

- A. Any person convicted of violating this regulation shall be liable for the costs accrued in the storage, care and maintenance of any equipment or wildlife seized in connection with the violation
- B. Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegal wildlife and also shall be liable for the costs of destruction and/or disposal of the illegal wildlife, as deemed necessary by the Commission for the protection of native wildlife

## 09.07 Wildlife Breeder/Dealer Permit Required

It is unlawful to rear, breed, propagate, produce, distribute, sell, or offer for sale any wildlife in Arkansas without first obtaining a valid Wildlife Breeder/Dealer Permit from the Commission (Addendum [F1.03](#)).

### EXCEPTIONS:

- A. Fish, bullfrogs, mussels, aquatic turtles and alligators in compliance with Code [09.06](#) and Chapters [29.00](#), [30.00](#), [31.00](#), [32.00](#), [33.00](#), [34.00](#), [35.00](#).
- B. Red fox, gray fox and coyote legally trapped in Arkansas may be sold by persons with a valid Live Fox and Coyote Permit, hunting license and trapping permit.
- C. Accredited members of the Association of Zoos and Aquariums.
- D. Holders of U.S. Fish and Wildlife Service Raptor Propagation Permits may propagate, distribute, and sell raptors without a Commission Wildlife Breeder/Dealer Permit.
- E. Holders of Game Bird Shooting Resort Permits do not need a Wildlife Breeder/Dealer Permit unless they are actively engaged in rearing, breeding, propagating, producing, distributing, selling, or offering for sale, game birds or other wildlife.
- F. No Wildlife Breeder/Dealer Permit is necessary for wildlife listed in Addendum [R1.01](#). No permit will be issued for wildlife listed in Addendum [R1.03](#). An application for a permit for an unlisted species will be denied if an evaluation by Commission determines that the species poses a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or cannot be safely confined in a humane manner.
- G. In compliance with Code [09.15](#).
- H. Terrestrial invertebrate species not otherwise prohibited by this Code or by federal or state regulations.
- I. Arkansas residents may sell or transfer up to twenty (20) individual wildlife specimens listed in Addendum [R1.02](#) per calendar year that were acquired from a permitted Wildlife Breeder/Dealer or imported with a valid Wildlife Importation Permit provided except for large carnivores, mountain lions, primates, any member of the Cervidae family or any species listed in Code Addendum [F1.03](#) Sections (B)(4) and (C)(5). Each sale or transfer must be registered with the Commission. Registered wildlife may be subsequently sold or transferred in accordance with the preceding sentence.

### PENALTY: Class 3

- A. Any person convicted of violating this regulation shall be liable for the costs accrued in the storage, care, and maintenance of any equipment or wildlife seized in connection with the violation.
- B. Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegal wildlife and shall be liable for the costs of destruction and/or disposal of the

illegal wildlife, as deemed necessary by the Commission for the protection of native wildlife.

## **09.08 Shoot-to-Kill Bird Dog Training Permit Required**

RESERVED.

## **09.09 Scientific Collection Permit Required**

It is unlawful to take wildlife for scientific study without possessing a valid Commission-issued Scientific Collection Permit in compliance with the permit requirements in Addendum [F1.09](#) and in accordance with state and federal regulations.

**PENALTY:** Class 3

## 09.10 Wildlife Importation Permit Required

- A. It is unlawful to import live wildlife into Arkansas without a valid Wildlife Importation Permit issued by the Commission. This permit shall be required regardless of the final destination of the wildlife, whether in Arkansas or points beyond. It also is unlawful for any person to receive, acquire, purchase, or possess any wildlife imported into Arkansas in violation of this regulation.
- B. It is unlawful for the holder of a Wildlife Importation Permit to cause or permit any wild animal or bird to be imported into Arkansas under inhumane or unhealthy conditions (Addendum [F1.04](#)).

### EXCEPTIONS:

- A. Aquatic wildlife other than those species prohibited by Code [26.13](#). Imports for aquaculture must comply with Code [35.09](#). Refer to the Approved Aquaculture Species List in Addendum [J1.01](#). Aquatic wildlife may not be released, Code [26.12](#).
- B. Wildlife exchanged with other states by the Commission.
- C. Accredited members of the Association of Zoos and Aquariums.
- D. A Wildlife Importation Permit is not required for a nonresident falconer with a valid Non-Resident Arkansas Hunting License, and possessing a valid falconry permit from another state, to import legally possessed raptors into Arkansas for the purposes of hunting, provided the birds will not stay in Arkansas longer than 30 consecutive days and are in compliance with Arkansas Livestock and Poultry Commission regulations relating to the entry of birds into the state.
- E. A Wildlife Importation Permit is not required for a resident falconer with a valid Arkansas Hunting License, and a valid Arkansas falconry permit to import legally possessed raptors into Arkansas, provided they are in compliance with Arkansas Livestock and Poultry Commission regulations relating to the entry of birds into the state.
- F. Circuses and others possessing U.S. Department of Agriculture Wildlife Exhibition Permits may import wildlife into or through Arkansas temporarily for the limited purposes of performance or display under terms of a special permit issued by the Chief of Wildlife Management.
- G. No Wildlife Importation Permit is necessary for wildlife listed in Addendum [R1.01](#). No Wildlife Importation Permit will be issued for wildlife listed in Addendum [R1.03](#) except in compliance with Code [09.11](#) Exceptions. An application for a permit for an unlisted species will be denied if an evaluation by Commission staff determines the species poses a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or cannot be safely confined in a humane manner.
- H. Terrestrial invertebrate species not otherwise prohibited by Commission Code or by Federal or state regulations.
- I. A Wildlife Importation Permit is not required for a resident to return legally owned wildlife originating in Arkansas that has been out of the state for less than 30 days.

**PENALTY:** Class 3

- A. All equipment, including any form of legal tender, and all wildlife imported in violation of this regulation may be seized by Enforcement Officers, confiscated by the court, forfeited to the State and disposed of according to law (Code [01.00-D](#)).
- B. Any person convicted of violating this regulation shall be liable for the costs incurred in the storage, care, and maintenance of any equipment, wildlife, and/or fish seized in connection with the violation.
- C. Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegally imported wildlife, and also shall be liable for the costs of destruction and/or disposal of the illegally imported wildlife, as deemed necessary by the Commission for the protection of native wildlife.

## 09.11 Importation Of Certain Living Wildlife Prohibited

It is unlawful to import, ship, transport, or carry into Arkansas by any means, or to cause to be imported, receive, or to assist in any manner in the importation of any species listed in Addendum [R1.03](#).

### EXCEPTIONS:

- A. Wildlife exchanged with other states by the Commission.
- B. These species may be imported on a temporary basis for bona fide scientific, conservation, or educational purposes under terms of a special permit issued by the Chief of Wildlife Management.
- C. Large carnivores and mountain lions may be imported only by holders of valid U.S. Department of Agriculture Wildlife Exhibition Permits for large carnivores or mountain lions. Such importation shall be done in compliance with a current Commission Wildlife Importation Permit.
- D. Mallards may be imported by a representative of a group designated in Code [09.03](#), Exception 3, for use in an official field trial in compliance with a current Wildlife Importation Permit provided that ducks are identified as captive reared by one of the following methods: 1) banding of one metatarsus with a seamless metal band; 2) removal of the hind toe from the right foot; 3) pinioning of a wing by removal of all or some of the metacarpal bones of one wing, which renders the bird permanently incapable of flight; or 4) a readily discernible tattoo of numbers and/or letters on the web of one foot. The permit holder must possess documentation that the waterfowl have originated from a flock participating in the National Poultry Improvement Program and such documentation shall be submitted to the Commission in compliance with reporting requirements in Code [09.10](#).
- E. Mallards may be imported by the holder of a Shoot-To-Kill Retrieving Dog Training Permit in compliance with a current Wildlife Importation Permit provided that ducks are identified as captive reared by one of the following methods: 1) banding of one metatarsus with a seamless metal band; 2) removal of the hind toe from the right foot; 3) pinioning of a wing by removal of all or some of the metacarpal bones of one wing, which renders the bird permanently incapable of flight; or 4) a readily discernible tattoo of numbers and/or letters on the web of one foot. The permit holder must possess documentation that the waterfowl have originated from a flock participating in the National Poultry Improvement Program and such documentation shall be submitted to the Commission in compliance with reporting requirements in Code [09.10](#).
- F. RESERVED.
- G. These species, excluding cervids, may be moved through the state of Arkansas with a Wildlife Importation Permit provided that it is done in accordance with a property issued U.S. Department of Agriculture VS-127 Restricted Movement Document and that the container the

animals are in is sealed in the originating state and that seal remains unbroken while in the State of Arkansas.

- H. Individuals must provide prior notification to the Wildlife Management Division before any live cervid can be moved through the State of Arkansas.
- I. Apes, baboons, and macaques may be imported, shipped, or transported only in accordance with a current Commission Wildlife Importation Permit or special permit issued by the Chief of Wildlife Management, and in accordance with Ark. Code Ann. §§ 20-19-601 through 20-19-610.
- J. Accredited members of the Association of Zoos and Aquariums.

**PENALTY:** Class 3

- A. All equipment, including any form of legal tender, and all wildlife imported in violation of this regulation, may be seized by Enforcement Officers, confiscated by the court, forfeited to the State and disposed of according to law (Code [01.00-D](#)).
- B. Any person convicted of violating this regulation shall be liable for the costs incurred in the storage, care, and maintenance of any equipment, wildlife, and/or fish seized in connection with the violation.
- C. Any person convicted of violating this regulation shall be liable for the costs of any and all tests and/or examinations of the illegally imported wildlife, as deemed necessary by the Commission for the protection of native wildlife.

## 09.12 Wildlife Rehabilitation Permit Required

It is unlawful to take or possess from the wild any sick, injured, orphaned, or impaired native wildlife, except migratory birds, for the purpose of rehabilitation without obtaining and complying with the terms of a valid Wildlife Rehabilitation Permit issued by the Commission. A Commission Wildlife Rehabilitation Permit is not required to keep migratory birds for rehabilitation purposes, but a valid Migratory Bird Rehabilitation Permit from the U.S. Fish and Wildlife Service is required (Addendum [F1.05](#)).

**EXCEPTION:** Licensed veterinarians are not required to obtain a Wildlife Rehabilitation Permit to temporarily possess, stabilize, or euthanize sick or injured wildlife with the exception of deer and elk. However, a veterinarian without a Wildlife Rehabilitation Permit must transfer any such animal to a permitted wildlife rehabilitator within 72 hours after the animal's condition is stabilized, unless the animal is euthanized. Licensed veterinarians may temporarily possess, provide medical care, or euthanize wildlife that has been brought to them by a permitted wildlife rehabilitator provided that animals are returned to the permitted wildlife rehabilitator prior to release.

**PENALTY:** Class 1

## **09.13 Shoot-to-Kill Retrieving Dog Training Permit Required**

RESERVED.



## 09.14 Native Wildlife Pets Restricted

It is unlawful to possess native wildlife as pets except as follows:

- A. Native wildlife captured by hand (hand-held, manually-operated aids such as tongs and snake hooks may be utilized to capture these species) from the wild in Arkansas may be possessed as personal pets in compliance with the following restrictions:
1. No more than 6 per household of any combination of the following animals may be possessed as pets:
    - i. Hand-captured bobcat, coyote, gray fox, red fox, opossum, rabbit, raccoon and squirrel; and
    - ii. Deer that were captured by hand prior to July 1, 2012, may be retained until their death.
    - iii. Hand-captured native non-game wildlife other than birds, bats, alligator snapping turtles, ornate box turtles, hellbenders, Ouachita streambed salamanders, collared lizards, troglodytic species (cave dwellers), or those animals defined as endangered species.
  2. It is unlawful for any person to remove such wildlife or their offspring from Arkansas except under the terms of a permit that may be issued by the Chief of Wildlife Management to persons who are moving to another state and have presented proof from that state that it is legal to import the wildlife.
  3. The sale or transfer of ownership of such wildlife or their offspring is prohibited except as provided in (A)(7) of this regulation.
  4. All wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are sufficiently strong to prevent escape of the wildlife and that will protect the wildlife from injury.
  5. All adult deer kept in compliance with (A) of this regulation shall be confined within an enclosure that complies with the following requirements:
    - i. Enclosures shall have a perimeter fence that is not less than 8 feet in height and shall be constructed so as to prohibit the escape of confined cervids and the ingress of native cervids.
    - ii. The area of the enclosure shall not be less than 200 square feet for the first cervid and shall be increased in size 150 square feet for each additional cervid.
  6. Males and females of the same species must be kept in separate enclosures, or if kept in the same enclosure, the owner shall provide proof that all males within the enclosure have been neutered.
  7. Native wildlife, except white-tailed deer, kept as personal pets in compliance with this regulation may be transferred to a wildlife rehabilitator permitted by the Commission (Code [09.12](#)) and released back into the wild in the county where they were captured provided such animals were not confined with

commercially obtained, captive born wildlife of the same species.

- B. Captive born native wildlife: No more than 6 per household of any commercially obtained, captive born native wildlife not listed in Addendum [R1.01](#) may be possessed as personal pets in compliance with the following restrictions:
1. Commercially obtained, captive born wildlife pets and/or their offspring shall not be confined with the same species of wild born animals and/or their offspring.
  2. Animals shall either be acquired from either a Commission-permitted Wildlife Breeder/Dealer, acquired in accordance with Code 9.07 Exception I, or have been brought into the state in accordance with a Commission Wildlife Importation Permit. Owners shall maintain records of proof of legal ownership of such animals including licenses, bills of sale, bills of lading, receipts, invoices and copies of Wildlife Importation Permits or other satisfactory evidence. The date of acquisition, place of origin, and the name, address, and telephone number of the person from whom the wildlife was acquired shall be recorded. Owners shall provide these records to the Commission upon demand.
  3. Commercially obtained, captive born wildlife pets or their offspring shall only be sold in compliance with Code [09.07](#).
  4. Males and females of the same species must be kept in separate enclosures, or if kept in the same enclosure, the owner shall provide proof that all males within the enclosure have been neutered.
  5. Owners of commercially obtained or captive born white-tailed deer or elk that were acquired prior to June 30, 2005, and that are kept as personal pets may retain ownership of such animals provided they registered with the Wildlife Management Division by June 30, 2008, and are in compliance with all provisions of this regulation.
  6. Owners must immediately test all deer and elk that die in captivity for CWD and forward copies of test results to the Commission within seven days of receipt.
  7. All cervids kept in compliance with (B) of this regulation shall be confined within an enclosure that complies with the following requirements:
    - i. Enclosures shall have a perimeter fence that is not less than 8 feet in height and shall be constructed so as to prohibit the escape of confined cervids and the ingress of native cervids.
    - ii. The area of the enclosure shall not be less than 200 square feet for the first cervid and shall be increased in size 150 square feet for each additional cervid.
  8. All wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are sufficiently strong to prevent escape of the wildlife and that will protect the wildlife from injury. Birds must be kept in buildings or covered pens.

- C. It is unlawful for anyone to keep a native wildlife pet under inhumane or unhealthy conditions.
- D. Beginning July 1, 2021, medically significant venomous reptiles allowed under this Code must be kept in accordance with Addendum [F1.08](#), Sections C and F.

**EXCEPTIONS:**

- A. Aquatic pets taken in compliance with Code [26.26](#).
- B. Holders of a Conservation Education Permit may possess more than 6 native wildlife hand captured from the wild in Arkansas in compliance with Code [09.18](#).

**PENALTY:**Class 1

## 09.15 Falconry Permit Required

It is unlawful for any person to possess, take, or transport raptors, or to use raptors to take game animals or game birds, without possessing a valid Falconry Permit issued by the Commission and a valid Arkansas hunting license (Addendum [F1.07](#)).

**EXCEPTIONS:**

- A. A nonresident falconer with a valid Nonresident Arkansas Hunting License and a valid falconry permit from another state may use raptors to take wildlife during open seasons. A properly permitted nonresident falconer may, without additional permit, use raptors to take wildlife in any regional or national falconry field trial that has been authorized by letter from the director of the Commission.
- B. Persons in possession of a valid U.S. Fish and Wildlife Service Special Purpose Abatement Permit as listed in [50 CFR 21.27](#).

**PENALTY:** Class 1

## 09.16 Live Fox/Coyote Permit Required

- A. It is unlawful to sell or offer for sale live gray fox, red fox, or coyote captured from the wild in Arkansas without first obtaining a Live Fox and Coyote Permit from the Commission.
- B. It is unlawful for anyone that holds a Live Fox and Coyote Permit to keep an individual animal in captivity for more than 30 days or to sell fox or coyote to anyone other than the operator of a foxpen operating in accordance with an exception to Code [09.05](#).

**PENALTY:** Class 3

## **09.17 Venomous Reptile Possession Permit Required**

It is unlawful to possess any medically significant venomous reptile after July 1, 2021, whether native or non-native to Arkansas, without obtaining a valid Venomous Reptile Permit issued by the Commission and complying with all permit requirements in Addendum [F1.08](#). Persons who have submitted a permit application on or before July 1, 2021, may continue to possess existing stock while the application is being processed.

### **EXCEPTIONS:**

- A. Medically significant venomous reptiles may be transported through Arkansas in accordance with a valid Commission-issued Wildlife Importation Permit.
- B. No permit is required for native venomous reptiles being kept in accordance with Code [09.14](#).
- C. No permit is required for accredited members of the Association of Zoos and Aquariums.
- D. No permit is required for persons possessing native venomous reptiles captured in accordance with a Commission Scientific Collection Permit.
- E. No permit is required for persons possessing native venomous reptiles in accordance with a Commission Conservation Education Permit.

**PENALTY:** Class 3

## 09.18 Conservation Education Permit Required

It is unlawful to possess more than 6 wildlife individuals captured from the wild in Arkansas except for conservation education purposes in compliance with the Conservation Education Permit requirements in Addendum [F1.10](#) and the following restrictions:

- A. Species that may be hand captured from the wild in Arkansas for conservation education purposes are listed Code [09.14](#)(A)(1), excluding cervids.
- B. It is unlawful for any person to remove such wildlife or their offspring from Arkansas except under the terms of a permit that may be issued by the Chief of Wildlife Management to persons who are moving to another state and have presented proof from that state that it is legal to import the wildlife.
- C. Wildlife retained under this regulation may be temporarily transported out of state for conservation education programs or veterinary care in compliance with all state and federal regulations.
- D. The sale, transfer, or intentional breeding of hand-captured native wildlife or their offspring is prohibited except as provided in this regulation.
- E. Native wildlife kept in compliance with this regulation may be transferred to a wildlife rehabilitator permitted by the Commission (Code [09.12](#)) and released back into the wild in the county where they were captured provided such animals were not confined with commercially obtained, captive born wildlife of the same species.
- F. Holders of a Conservation Education Permit may receive animals from holders of a Commission-issued Wildlife Rehabilitation Permit in accordance with Addendum [F1.05](#)(B)(5).

**EXCEPTION:** Individuals conducting educational programs using only avian species in accordance with a U.S. Fish and Wildlife Service Migratory Bird Permit.

**PENALTY:** Class 3