

# **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 All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.**

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

- A. It is unlawful to possess captive non-native wildlife except in accordance with the following restrictions:
1. Animals shall 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 and owners shall maintain written records of acquisition 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 request.
  2. 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.
  3. The possessor must have written documentation that such wildlife 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, other than ratites, 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. RESERVED.
- 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](#)).

### EXCEPTIONS:

- A. Animals included on the Unrestricted Captive Wildlife Species List (Code Addendum [R1.01](#)) are not subject to the restrictions included in Part A of this Code.
- B. Persons possessing and holding captive wildlife in compliance with other regulations in Code Chapter [09.00](#).

- C. Persons possessing and holding captive fish, bullfrogs, mussels, aquatic turtles, alligators, and other aquatic wildlife in compliance with Code Chapters [29.00](#), [30.00](#), [31.00](#), [32.00](#), [33.00](#), [34.00](#), [35.00](#) and Addendum Chapter [J1.00](#).
- D. Accredited members of the Association of Zoos and Aquariums or those with USDA Wildlife Exhibition Permits that are temporarily in Arkansas in accordance with a Commission Wildlife Importation Permit are not subject to the restrictions included in Part A of this Code.
- E. Persons possessing terrestrial invertebrate species not otherwise prohibited by this Code or by federal or state regulations.
- F. Persons possessing 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 other regulations in Code Chapter [09.00](#).

**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.