

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 All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.**

## **F1.00 Captive Wildlife/Hunting Resort**

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## **F1.01 Commercial Wildlife Hunting Resort Requirements**

- A. Commercial Wildlife Hunting Resort Permits may be issued to applicants complying with the following requirements:
1. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within 5 years of application date.
  2. The applicant shall provide to the Commission, in writing, proof from the county judge or sheriff and any municipal planning commission or board with jurisdiction, stating that the applicant's hunting resort shall be in compliance with all local ordinances.
  3. The applicant shall submit a written application (available from the Commission) for each facility to be permitted.
- B. The requested permit shall be denied if:
1. The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;
  2. The applicant fails to disclose material information required, makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
  3. The Commission finds, through further inquiry or investigation, the issuance of the permit may be potentially harmful to the wildlife resources of the State.
- C. Commercial wildlife hunting resorts must comply with the following:
1. Commercial Wildlife Hunting Resort Permits must be obtained at least 60 days before hunting begins. Operators must notify the Commission upon any change of ownership or enclosure size.
  2. Native game animals, except black bear, may be hunted within commercial wildlife hunting resorts in accordance with statewide hunting regulations and license requirements. Such high-fence enclosures shall be at least 500 contiguous acres of free range (no cross-fencing) with a fence at least 8 feet in height around the perimeter.
  3. Deer and elk may be hunted within commercial wildlife hunting resorts with any legal method of take for deer or elk hunting from October-February. Limits do not apply. An elk permit is not required.
  4. High-fence enclosures shall have at least 60 percent forested cover classified as timberland by the county tax assessor.
  5. Hunting, chasing, herding or corralling deer or elk with dogs within a commercial wildlife hunting enclosure is prohibited.
  6. Hunting non-native wildlife within a high-fence enclosure is prohibited.
  7. The perimeter fencing of a high-fence enclosure must be posted at least every 300 feet with yellow signs marked with

“Commercial Wildlife Hunting Resort” in black letters at least 4 inches tall.

8. All cervids held captive under this permit that die, including those harvested by hunters, shall be tested for chronic wasting disease by the Arkansas Livestock and Poultry Commission at the expense of the permit holder. The permit holder shall submit the results of such testing to the Commission within seven days of receipt.

D. Reporting and Record-Keeping Requirements:

1. Owners or operators of commercial wildlife hunting resorts must keep legible and complete records showing the name and current address of each hunter, the date, number of wildlife and sex of each animal taken.
2. Records shall include evidence of legal possession of all wildlife kept under this permit, including licenses, bills of sale, bills of lading, receipts, invoices or other satisfactory evidence of ownership. Records shall include the date of acquisition, place of origin, and the name, address and telephone number of the person from whom the wildlife was acquired.
3. Records must be retained throughout the time the wildlife is possessed by the permittee or for five years, whichever is longer.
4. Permit holders shall submit a completed Commercial Wildlife Hunting Resort Harvest Report (form available from the Commission) by May 1.
5. Stock shall only be acquired from either a Commission-permitted Wildlife Breeder/Dealer or have been brought into the state in accordance with a Commission Wildlife Importation Permit. Permits will not be issued to and existing permits may be revoked for facilities that have acquired stock by any other method.

E. Disease Testing and Control:

1. The director of the Commission, in consultation with the director of the Arkansas Livestock and Poultry Commission, or their designees, shall determine mechanisms and procedures for control of diseases and parasites in captive wildlife within Arkansas. Such mechanisms and procedures shall include, but not be limited to, examination, testing, quarantine and slaughter or destruction of individual animals and/or herds that are, or in the opinion of the Commission may be, infected with a disease or parasite that may have significant detrimental effect on native wildlife, other captive wildlife, livestock or the public health of the citizens of Arkansas.
2. Examinations, testing, quarantine and slaughter of captive wildlife shall be conducted at the expense of the owner. As a condition of any permit issued under this addendum chapter, the Commission may require the captive wildlife be quarantined for a period specified by the Commission.

F. Facility and Enclosure Requirements:

1. All wildlife possessed in captivity shall be maintained in enclosures that are sufficiently strong to prevent escape of the wildlife and will protect the wildlife from injury.
2. Enclosures shall be kept in good repair at all times and gates shall be securely fastened with latches or locks.
3. Permit holders whose facilities, including enclosures, are not in compliance with this addendum chapter shall correct the violation within 10 days of notification, or sooner if so ordered by the Commission.
4. If the violation has not been corrected within required time, the Commission may revoke or suspend any existing permit and may refuse to issue any future permit. Such revocation, suspension or refusal to issue a future permit shall be in addition to any criminal charges that may be filed.
5. All wildlife shall be maintained in humane and healthy conditions.

G. Inspection:

1. Permit holders shall allow agents of the Commission to enter and inspect the premises, including books, records or permits required to be kept and any wildlife and/or facilities kept under authority of permit.
2. Each permittee shall pen the captive wildlife in suitable pens and restrain them for inspection, at a reasonable time, when requested to do so by an agent of the Commission.

H. Permit Renewal, Transfer, Suspension And Revocation:

1. Persons in violation of the terms of this permit, this addendum chapter, Commission Codes, or convicted of violating associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing and shall have 20 days to respond with just cause as to why their permit should not be suspended or revoked.
2. If after 20 days just cause has not been given, the Commission may suspend or revoke any existing permit held by the violator and may refuse to issue future permits. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
3. Upon revocation, permit holder must remove by legal means all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.

## **F1.02 Game Bird Shooting Resort Requirements**

- A. Game Bird Shooting Resort Permits may be issued to applicants complying with the following requirements:
1. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within 5 years of application date.
  2. The applicant shall provide to the Commission, in writing, proof from the county judge or sheriff and any municipal planning commission or board with jurisdiction, stating the applicant's resort shall be in compliance with all local ordinances.
  3. The applicant shall submit a written application (available from the Commission) for each facility to be permitted.
- B. The requested permit shall be denied if:
1. The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;
  2. The applicant fails to disclose material information required, makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
  3. The Commission finds, through further inquiry or investigation, the issuance of the permit may be potentially harmful to the wildlife resources of the State.
- C. Permit Requirements:
1. Holders of a Game Bird Shooting Resort Permit shall comply with the following requirements:
    - i. The resort operator shall release only the number of game birds intended to be harvested each day, less the number of birds released but not harvested the previous hunt;
    - ii. The resort owner shall release only the number of captive-reared mallards intended to be harvested each day and, after hunting is completed, shall capture all non-harvested mallards released for the hunt and return them to their enclosure.
    - iii. All acreage in the shooting resort will be contiguous and not exceed 1,500 acres;
    - iv. The perimeter of each game bird shooting resort must be posted at least every 300 feet with yellow signs marked with "Game Bird Shooting Resort" in black letters at least 4 inches tall.
    - v. Operators of Game Bird Shooting Resorts may release captive-reared mallards for the sole purpose of flight training during daylight hours July 1-September 1. After flight training has been completed, captive-reared mallards shall be returned to their enclosure before sunset.

D. Reporting and Record-Keeping Requirements:

1. Owners or operators of game bird shooting resorts must keep legible and complete records (on forms provided by the Commission) showing the name and current address of each hunter, the date, number and type of birds released each day and the number taken by each hunter.
2. Records shall include evidence of legal possession of all wildlife kept under this permit, including licenses, bills of sale, bills of lading, receipts, invoices or other satisfactory evidence of ownership. Records shall include the date of acquisition, place of origin, and the name, address and telephone number of the person from whom the wildlife was acquired.
3. Records must be retained throughout the time the wildlife is possessed by the permittee or for five years, whichever is longer.
4. Permit holders shall submit a completed Game Bird Shooting Resort Daily Release and Harvest Report (form available from the Commission) by May 1.
5. Stock shall only be acquired from either a Commission-permitted Wildlife Breeder/Dealer or have been brought into the state in accordance with a Commission Wildlife Importation Permit. Permits will not be issued to and existing permits may be revoked for facilities that have acquired stock by any other method.

E. Disease Testing and Control:

1. The director of the Commission, in consultation with the director of the Arkansas Livestock and Poultry Commission, or their designees, shall determine mechanisms and procedures for control of diseases and parasites in captive wildlife within Arkansas. Such mechanisms and procedures shall include, but not be limited to, examination, testing, quarantine and slaughter or destruction of individual animals and/or herds or flocks that are, or in the opinion of the Commission may be, infected with a disease or parasite that may have significant detrimental effect on native wildlife, other captive wildlife, livestock or the public health of the citizens of Arkansas.
2. Examinations, testing, quarantine and slaughter of captive wildlife shall be conducted at the expense of the owner. As a condition of any permit issued under this addendum chapter, the Commission may require the captive wildlife be quarantined for a period specified by the Commission.

F. Facility and Caging Requirements:

1. Birds possessed in captivity shall be maintained in buildings or covered pens that prevent escape, protect the birds from injury and prevent entry of wild birds.
2. Enclosures shall be kept in good repair at all times and gates shall be securely fastened with latches or locks.
3. Permit holders whose facilities, including enclosures, are not in compliance with this addendum chapter shall correct the violation within 10 days of notification, or sooner if so ordered by the Commission.



4. If the violation has not been corrected within the required time, the Commission may revoke or suspend any existing permit and may refuse to issue any future permit. Such revocation, suspension or refusal to issue a future permit shall be in addition to any criminal charges that may be filed.
  5. All wildlife shall be maintained in humane and healthy conditions.
- G. Harvest Identification Requirements: Any person in possession of game birds harvested from a game bird shooting resort shall have on his person written information stating the name and address of the hunter who harvested the game birds, the number, species and harvest date of the game birds, and the name and address of the resort.
- H. Inspection:
1. Permit holders shall allow agents of the Commission to enter and inspect the premises, including books, records or permits required to be kept and any wildlife and/or facilities kept under authority of permit.
  2. Each permittee shall pen the captive wildlife in suitable pens and restrain them for inspection, at a reasonable time, when requested to do so by an agent of the Commission.
- I. Permit Renewal, Transfer, Suspension and Revocation:
1. Persons in violation of the terms of this permit, this addendum chapter, Commission Codes, or convicted of violating associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing and shall have 20 days to respond with just cause as to why their permit should not be suspended or revoked.
  2. If after 20 days just cause has not been given, the Commission may suspend or revoke any existing permit held by the violator and may refuse to issue future permits. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
  3. Upon revocation, permit holder must remove by legal means all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.

## **F1.03 Wildlife Breeder/Dealer Permit Requirements**

- A. Wildlife Breeder/Dealer Permits may be issued to applicants complying with the following requirements:
1. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within five years of the application date.
  2. The applicant shall provide to the Commission, in writing, proof from the county judge or sheriff and any municipal planning commission or board with jurisdiction, stating that the applicant's facility shall be in compliance with all local ordinances; and
  3. The applicant shall submit a written application (available from the Commission) for each facility to be permitted.
- B. The requested permit shall be denied if:
1. The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;
  2. The applicant fails to disclose material information required, or makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
  3. The Commission finds, through further inquiry or investigation, the issuance of the permit may pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or the proposed species cannot be safely confined in a humane manner.
  4. The applicant is seeking to permit a new facility for the rearing, breeding, propagating, or distributing of large carnivores, mountain lions, or any member of the Cervidae family.
  5. The applicant is seeking to permit a facility for a species listed in Addendum [R1.03](#). However, the Director (or designee) may issue a permit for a species not listed in Addenda [R1.02](#) or [R1.03](#) should an evaluation by Commission staff determine the species does not pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture and can be safely confined in a humane manner.

- The applicant is seeking a Wildlife Breeder/Dealer Permit for
6. waterfowl on properties where poultry is raised for sale, show, or exhibition.

C. Permit Requirements:

1. The applicant shall supply satisfactory evidence stock has been/will be secured from a legal source.
2. Stock may be slaughtered in accordance with established husbandry practices for slaughter of domestic livestock. Purchasers of dressed game birds slaughtered at Wildlife Breeder/Dealer facility shall be issued by a permit holder a receipt with the name and address of the facility, date of sale, name of purchaser, and the number of and species of dress birds sold.
3. Fencing of enclosures in which deer, elk or other big game animals are to be held shall consist of a permanent deer-proof fence at least 8 feet tall and constructed in a manner that prohibits escape of captive wildlife and prohibits entry of native wildlife.
4. Waterfowl hatched in wildlife breeder/dealer facilities shall be banded with a seamless metal band.
5. Wildlife Breeder/Dealer Permit holders for cervids, blackbuck antelope, black-tailed prairie dogs, capybara, nilgai, aoudad sheep, kudu, lechwe, ibex, jaguar, leopard, snow leopard, hippopotamus, warthog, Family Salamandridae, large Asian and African Pythons, and rhinoceros shall only sell individuals of those species to Arkansas residents who possess a current Wildlife Breeder/Dealer Permit for the respective species or to buyers outside of Arkansas. Additionally, Wildlife Breeder/Dealer Permit holders for cervids may sell cervids to Arkansas residents who possess a current Commercial Wildlife Hunting Resort Permit for cervids.
6. Live bobwhite quail sold to Arkansas residents who do not possess a Wildlife Breeder/Dealer Permit or Game Bird Shooting Resort Permit must be banded by the permit holder.
7. Rearing, breeding, propagating, producing or distributing primates shall not be permitted except facilities accredited by the Zoological Association of America.
8. A Wildlife Breeder/Dealer Permit holder is prohibited from moving cervids out of the permitted facility upon written notice by the Commission that a sample taken from a cervid within 25 miles of the facility tested positive for CWD.

Reporting and Record-keeping Requirements:

D.

1. Legible records of all wildlife acquisitions and dispositions, including births, deaths, sales, slaughter and transport, shall be kept.
2. Records shall include evidence of legal possession of all wildlife kept under the permit, including licenses, bills of sale, bills of lading, receipts, invoices or other satisfactory evidence of ownership. Records shall include date of acquisition, place of origin, and the name, address and telephone number of the person from whom the wildlife was acquired.
3. Records of sale shall include the name, address and telephone number of the person to whom the wildlife was sold, and the number of each species sold to each person.
4. Records must be retained throughout the time the wildlife is possessed by the permittee or for five years, whichever is longer.
5. Holders of Wildlife Breeder/Dealer Permits shall submit legible, complete quarterly reports (forms available from the Commission) of their inventory and any births, deaths, sales, purchases of wildlife or returned legally owned wildlife originating in Arkansas that has been out of the state for less than 30 days by the fifth day of the following months: March, June, September, and December.
6. Wildlife Breeder/Dealer Permit holders who possess cervids in facilities larger than 25 acres where the animals are allowed free range may report an estimated inventory number based on a Commission-approved survey technique.
7. Stock shall only be acquired from either a Commission-permitted Wildlife Breeder/Dealer or have been brought into the state in accordance with a Commission Wildlife Importation Permit. Permits will not be issued to and existing permits may be revoked for facilities that have acquired stock by any other method except for stock in possession, and not otherwise prohibited by this Code, for which an application was submitted to the Commission by July 1, 2021, and approved.
8. The Commission shall be notified within 24 hours of the escape of any animals from the facility.

E. Disease Testing and Control:

1. The director of the Commission, in consultation with the director of the Arkansas Livestock and Poultry Commission, or their designees, shall determine mechanisms and procedures for control of diseases and parasites in captive wildlife within

Arkansas. Such mechanisms and procedures shall include, but not be limited to, examination, testing, quarantine and slaughter or destruction of individual animals and/or herds or flocks that are, or in the opinion of the Commission may be, infected with a disease or parasite that may have significant detrimental effect on native wildlife, other captive wildlife, livestock or the public health of the citizens of Arkansas.

2. Examinations, testing, quarantine and slaughter of captive wildlife shall be conducted at the expense of the owner. As a condition of any permit issued under this addendum chapter, the Commission may require the captive wildlife be quarantined for a period specified by the Commission.
3. All Cervids that die in captivity must be tested for chronic wasting disease. Copies of test results shall be forwarded to the Commission within seven days of receipt.
4. Captive Cervid facilities must be in compliance with all Arkansas Livestock and Poultry Commission requirements.
5. Permitted Wildlife Breeder/Dealer facilities in which birds are kept are required to adhere to Arkansas Livestock and Poultry Commission requirements regarding pullorum-typhoid disease tests and are encouraged to participate in the National Poultry Improvement Plan.
6. Each Wildlife Breeder/Dealer facility where waterfowl are kept is required to test 60 birds for duck virus enteritis using the PCR technique every May. Facilities containing less than 60 birds shall test all birds in stock. Samples shall be taken by a licensed veterinarian and submitted to the Arkansas Livestock and Poultry Commission at the owner's expense. Copies of test results shall be forwarded to the Commission within seven days of receipt.
7. Flocks testing positive for duck virus enteritis shall be quarantined or destroyed by the owner or operator within 14 days and the carcasses disposed of in accordance with Arkansas Livestock and Poultry Commission regulations.

F. Facility and Caging Requirements:

All wildlife possessed under a Wildlife Breeder/Dealer Permit in Arkansas shall be maintained in a permanent enclosure, pen, or cage strong enough to prevent escape of the wildlife and protect them from injury. All wildlife shall be maintained in humane and healthy conditions. Birds must be kept in buildings or covered pens that prevent escape and that do not allow entry of wild birds. Enclosures shall be kept in good repair at all times and gates shall be securely fastened with latches or locks. Enclosures, pens or cages considered

unsafe by Commission personnel must be repaired or reconstructed within 10 days or as specified by the Commission.

1. Facilities containing large carnivores and mountain lions shall meet the following requirements:

- i. A written plan of action shall be prepared and a copy submitted with permit application for use in the following events: Severe damage to enclosures from fire, wind, floods or other natural forces; animals attacking and/or injuring humans, and animals escaping enclosures. Plans should identify the location of temporary holding facilities and necessary mechanisms to safely transport large carnivores to these facilities. Recapture plans shall outline procedures for handling and recapturing escaped large carnivores. Plans should include a list of safety equipment which shall be available for use. The Commission shall immediately be notified upon the escape of any large carnivores or mountain lions. In the event of sickness, the name, address, phone number, and signature of the veterinarian who has agreed to care for the animal shall be provided.
- ii. A perimeter fence sufficient to deter entry by the public, at least 8 feet tall shall completely surround cages where animals are housed or exercised outdoors. Perimeter fences that allow objects to be passed through them, such as chain link or welded wire, shall be at least 3 feet from cages or exercise areas.
- iii. Warning signs must be posted at the entrance to the property.
- iv. All cages or enclosures shall be equipped with an entrance or device that allows a keeper to enter or exit a cage without providing an avenue of escape to an animal (such as a double-gated entry door, interconnected cages that can be isolated from each other, a lock-down area, or other comparable device). Safety entrances shall be constructed of materials of equivalent strength as those prescribed for cage construction. Doors or gates in perimeter fences shall be locked when unattended.
- v. Cages shall be equipped with a lockout area that allows the keeper access while the animal is contained in a separate area.
- vi. Cages shall be well braced and securely anchored at ground level to prevent escape by digging or erosion. The fasteners and fittings used in construction shall be of equivalent strength to the material required for cage construction.

- In facilities containing tigers, African lions and bears cage
- vii. construction materials shall consist of at least 9-gauge chain link or equivalent materials. In facilities containing mountain lions, cage construction materials shall consist of at least 11-gauge chain link or equivalent materials. Juvenile animals may be kept in incubation or rearing facilities not meeting these standards until they weigh more than 25 pounds.
  - viii. Cages containing a single African lion, tiger or bear shall have a cage floor at least 300 square feet and shall be at least 8 feet tall. For each additional animal the cage size shall be increased 100 square feet.
  - ix. Cages containing a single mountain lion shall have a cage floor at least 200 square feet and shall be at least 8 feet tall. For each additional animal the cage size shall be increased 100 square feet.
  - x. Large carnivores and mountain lions may temporarily be housed in cages or enclosures smaller than specified in this chapter while being transported, while in veterinary care or while being quarantined provided temporary caging is large enough for the animal to stand up, lie down and turn around without touching the sides of the enclosure or another animal.
  - xi. Open-top outdoor exercise areas are allowed providing they have vertical walls at least 12 feet tall, topped by either: an inward-angled overhang at an angle between 35 and 55 degrees, which is at least 2 feet long and of equal strength as the cage walls; or, two strands of electric fencing, one of which is 1 foot below the top of the vertical wall, and the other at the top of the wall or the upper 3 feet of the interior of the fence consists of sheer, solid metal. Animals may not be left in exercise areas overnight.
  - xii. Permit holders whose facility, including enclosures, pens and cages, is not in compliance with this Commission Addendum Chapter shall be notified in writing and shall have 10 days to correct the violation.
  - xiii. If the violation has not been corrected in 10 days of notification, the Commission may revoke any existing permit and may refuse to issue any future permit. Such revocation or refusal to issue a future permit shall be in addition to any criminal charges that may be filed.
2. Facilities containing medically significant venomous reptiles shall meet the requirements in Addendum [F1.08](#).

**Inspection:**

G.

1. Any person issued a Wildlife Breeder/Dealer Permit shall allow entry, at any reasonable hour, to Commission employees or their agents to inspect any wildlife and/or facilities kept under authority of the permit.
2. Each permittee shall pen the captive wildlife in suitable pens and restrain them for inspection, at a reasonable time, when requested to do so by the employee or agent.

H. Renewal, Transfer, Suspension and Revocation:

1. Permits may be revoked for failure to comply with the terms of the permit or with the terms of this Commission Addendum Chapter.
2. Persons in violation of the terms of this permit, violation of the Commission Addendum, or upon conviction or entry of a plea of guilty or nolo contendere for violation of any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals, shall be notified in writing of such violations and shall have 20 days to respond.
3. If, at the end of 20 days, just cause has not been given, the Commission may suspend or revoke any existing permit and refuse to issue any future permit. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
4. Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.
5. No existing permit can be transferred to another person, firm or corporation rearing, breeding, propagating, producing or distributing any member of the Cervidae family.
6. Holders of Wildlife Breeder/Dealer Permits for cervids or large carnivores whose facilities are void of their permitted species for one (1) year shall not have their permit renewed as of July 1, 2018.



## **F1.04 Wildlife Importation Permit Requirements**

### A. Eligibility and Application Requirements:

1. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within five years of the application date.
2. The applicant shall submit a written application (available from the Commission) for each facility to be permitted.

### B. The requested permit shall be denied if:

1. The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;
2. The applicant fails to disclose material information required, makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
3. The Commission finds, through further inquiry or investigation, the issuance of the permit may be potentially harmful to the wildlife resources of the State.

### C. Permit Requirements:

1. Wildlife Importation Permit holders may import wildlife into or transport wildlife through the State under the following conditions provided that, prior to transportation, the permit holder possesses the following documentation:
  - i. Written proof of the origin and destination of each animal.
  - ii. Documentation for each animal to demonstrate they have not been kept in, or originated from, a location from which importation has been restricted in accordance with Code [09.11](#).
  - iii. A completed state or federal certificate of veterinary inspection form upon which an accredited veterinarian has certified each animal to be free of diseases/parasites or provision of proof that birds originated from a flock that is part of the National Poultry Improvement Program. Animals other than cervids originating within Arkansas and that are taken from the state for less than 30 days may re-enter the state without the need for a veterinary exam.
  - iv. Venomous reptiles being temporarily imported into the state for the purpose of exhibition must comply with caging requirements in Code Addendum [F1.08\(C\)](#).
2. The Wildlife Importation Permit and issued documentation required in Addendum [F1.04\(C\)\(1\)](#) must accompany each animal during transport.
  - i. All documentation required in Addendum [F1.04\(C\)\(1\)](#) shall be submitted by the permit holder to the Commission's

Wildlife Management Division within 7 days of the permitted importation.

- ii. Failure to comply may result in suspension or revocation of any existing permit held by the violator and denial of any future permits. Additionally, criminal charges may be filed.

D. Disease Testing:

1. Prior to importation, brindled gnu (*Connochaetes taurine*) must test negative for Alcelaphine herpesvirus-1 by virus neutralization, or other serologic test as recommended by the U.S. Department of Agriculture's National Veterinary Services Laboratory, within 30 days of import and evidence of such testing must be documented in accordance with Addendum [F1.04\(C\)\(1\)](#).

## **F1.05 Wildlife Rehabilitation Permit Requirements**

### **A. Eligibility and Application Requirements:**

1. A Wildlife Rehabilitation Permit applications must comply with the following:
  - i. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within 5 years of the application date.
  - ii. The applicant shall be a resident of Arkansas with a bona fide or actual residence within the state.
  - iii. The applicant shall provide to the Commission, in writing, proof from the county judge or sheriff and any municipal planning commission or board with jurisdiction, stating that the applicant's facility shall be in compliance with all local ordinances.
  - iv. An application for the permit shall be submitted on a form supplied by the Commission.
  - v. Applications will include the signature, address and phone number of a licensed veterinarian who will assist the applicant by providing consulting and referral services regarding animal rehabilitation and treatment.
2. General Class Wildlife Rehabilitation Permits may be issued based upon documented applicant experience in accordance with one of the following methods:
  - i. Persons who submit written documentation (on a form supplied by the Commission) of at least two years of experience in the care of sick, injured, orphaned or otherwise impaired wildlife obtained in accordance with an Apprentice Class Wildlife Rehabilitation Permit. Such documentation must include a description of the specific training or experience acquired, and the dates and locations where acquired. The applicant also shall submit a reference from a permitted rehabilitator based upon personal knowledge. Additional documentation may consist of records of prior permits for rehabilitation issued by other states or the U.S. Fish and Wildlife Service, employment records of wildlife rehabilitative facilities, training course certificates, or other documentation of experience.
  - ii. Persons who held a General Class (or equivalent) rehabilitation permit issued by the Commission or any other state within the last five years.
  - iii. Wildlife rehabilitators certified by the International Wildlife Rehabilitation Council who submit a reference from a permitted General Class rehabilitator based upon personal knowledge.

3. Apprentice Class Wildlife Rehabilitation Permit applicants shall meet all the eligibility and application requirements of Addendum [F1.05](#)(A)(1) and shall have a sponsor with a current General Class Wildlife Rehabilitation Permit.

B. Permit Requirements:

1. Wildlife shall be cared for at the location listed in the Wildlife Rehabilitation Permit. This limitation shall not prevent the temporary care of wildlife at a medical facility under the supervision of a licensed veterinarian for the purposes of stabilizing, diagnosing, providing specialized treatment, or humanely euthanizing wildlife in coordination with a licensed rehabilitator.
2. Apprentice class wildlife rehabilitators under the supervision of a general class wildlife rehabilitator may possess or care for no more than 20 baby opossums or six other individual animals at a time.
3. Wildlife undergoing rehabilitation or medical treatment shall not be hunted, bred or displayed to the public.
4. Rehabilitated native wildlife shall be released at a time and into a habitat suitable to sustain it in, or adjacent to, the county in which it was captured. Wildlife shall not be released within the limits of any incorporated city or town and shall be released in compliance with any local regulations.
5. When a wild animal cannot be rehabilitated to a condition appropriate for release, that animal should be humanely euthanized by an acceptable method set forth by the International Wildlife Rehabilitation Council/National Wildlife Rehabilitators Association's current "Minimum Standards for Wildlife Rehabilitation" or permanently, physically impaired animals may be transferred to a holder of a Commission Conservation Education Permit with the approval of the Chief of Wildlife Management or his or her designee.
6. Rehabilitators may provide routine care and basic first aid; other medical treatments should be given under the direction of a licensed veterinarian with a valid veterinary client-patient relationship.
7. Animals that die from causes other than contagious disease while in the custody of the permittee shall be disposed of in accordance with local or state laws or be offered to a museum, university, or other educational facility.
8. Animals diagnosed with a contagious disease must be reported to the Commission within 48 hours. Animals that die of contagious disease must be destroyed in a manner that does not allow the spread of the disease to other animals or humans.
9. Permittees receiving any species classified as endangered or threatened shall notify the Little Rock office of the Commission's Wildlife Management Division within 48 hours of the receipt of the animal.
10. Permittees shall not require a fee associated with wildlife rehabilitation services or for the pick-up, delivery or acceptance of sick, injured, orphaned or otherwise impaired wildlife. This

limitation shall not apply to professional fees charged by a licensed veterinarian for treatment or other services requested by a permitted wildlife rehabilitator. This regulation does not in any way prohibit nor discourage the public from making voluntary donations to rehabilitators for animal care and facility maintenance.

11. Permittees are not agents of the Commission and may not represent themselves as such.
12. Rehabilitation facilities shall comply with the International Wildlife Rehabilitation Council/National Wildlife Rehabilitators Association's "Minimum Standards for Wildlife Rehabilitation."
13. Reserved.
14. Permittees shall not maintain other native wild animals as personal pets except for those kept in accordance with Addendum [F1.05](#)(B)(6) or without specific authorization from the Chief of Wildlife Management.
15. No Wildlife Rehabilitation Permit will be issued for the rehabilitation of cervid species (i.e. white-tailed deer or elk) or black bears.

C. Reporting and Record Keeping:

1. All permit holders shall maintain a log of each animal taken into custody. The log shall include the date the animal was received, county of origin, treatment, condition and disposition, and shall be subject to inspection by Commission personnel at any reasonable time.
2. Permit holders shall submit annual reports (January 1 - December 31) on a form provided by the Commission. Annual reports shall be due January 31.

D. Facility and Caging Requirements:

1. All wildlife shall be kept in pens/cages that meet the "Basic Requirements for Housing Wild Animals and Minimum Housing Guidelines" set forth by the current International Wildlife Rehabilitation Council/National Wildlife Rehabilitators Association's "Minimum Standards for Wildlife Rehabilitation" unless otherwise authorized by the Commission.
2. Wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are strong enough to prevent escape and protect them from injury.
3. Cages, fencing, and guardrails shall be kept in good repair at all times and gates shall be secured with latches or locks. Enclosures, pens, or cages considered unsafe by Commission personnel must be repaired within 10 days of inspection or as specified by the Commission.
4. Permit holders whose facilities, including enclosures, pens, and cages, are not in compliance with this addendum chapter shall be notified in writing and shall have 10 days to correct the violation.
5. If the violation has not been corrected in 10 days, the Commission may revoke any permit and refuse to issue future permits. Permit revocation or refusal shall be in addition to any criminal charges that may be filed.

E. Inspection:

1. Holders of a Wildlife Rehabilitation Permit shall allow entry, at reasonable hours, to Commission employees or agents to inspect the wildlife, facilities, books, records, or permits required by the permit.
2. Permit holders shall hold the captive wildlife in suitable pens and restrain them for inspection, at a reasonable time, when requested to do so by Commission employees or agents.
3. Commission employees may immediately relocate wildlife that is being given improper care or being kept in inhumane or unhealthy conditions.

F. Renewal, Transfer, Suspension, and Revocation:

1. Wildlife Rehabilitation Permits shall expire January 31 each year. Permits may be renewed following receipt and approval by the Commission of a permit renewal application, and an annual report for the previous calendar year in accordance with Addendum [F1.05\(C\)\(2\)](#).
2. Permits may be revoked or not renewed for violation of the terms of this permit, failure to continue to meet the initial eligibility and application requirements of this permit, violation of the Commission Code, or upon conviction of associated regulations of the U.S. Fish and Wildlife Service.
3. Permit holders shall be notified in writing of such violations and shall have 20 days to respond with just cause as to why their permit should not be suspended or revoked.
4. If just cause has not been given in 20 days, the Commission may suspend or revoke any permit held by the violator and refuse to issue future permits. Additionally, criminal charges may be filed.
5. Upon revocation, the permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.

## **F1.06 Shoot-To-Kill Bird Dog Training Permit Requirements**

RESERVED.

## **F1.07 Falconry Permit Requirements**

- A. Permits or legible copies of them must be in a falconer's immediate possession when trapping, transporting, working with or flying falconry raptors, both in and outside of Arkansas, except when the falconer is at the location of his/her falconry facilities.
- B. Permits issued by the Commission will be at a level commensurate with the falconer's ability and experience as follows:
  - 1. Apprentice Class Eligibility, and Application Conditions and Requirements:
    - i. An Apprentice falconer applicant must be at least 14 years of age. If the apprentice is under 18 years of age, a parent or legal guardian must sign his/her application and be legally responsible for his/her activities.
    - ii. An Apprentice Class falconer applicant must have a letter from a Master or General Falconer who is at least 18 years old and has at least two years' experience at the General Falconer level and a state falconry permit stating that he or she will sponsor the applicant and serve as his/her mentor.
    - iii. An Apprentice applicant will not be issued a permit until the applicant has demonstrated satisfactory compliance with the following requirements:
      - a. Must pass a written falconry examination administered by the Commission with a score of at least 80 percent.
      - b. Must possess an Arkansas hunting license.
      - c. Must have their falconry facilities and equipment pass inspection by an employee of AGFC.
    - iv. Apprentice falconers may possess no more than 1 raptor for use in falconry.
    - v. Apprentice falconers may possess a wild-caught raptor of the following species: Red-tailed hawk, American kestrel, Red-shouldered hawk, Great horned owl, or Harris's hawk.
    - vi. Apprentice falconers are required to capture the hawk themselves; the raptor may not be transferred to them by another falconer.
    - vii. Apprentice falconers may not possess a raptor taken from the wild as a nestling and may not possess a bird that is imprinted on humans.
  - 2. General Class Eligibility, and Application Conditions and Requirements:
    - i. General Class falconers must be at least 16 years of age. General Class falconers that are 16 or 17 years of age must have a parent or legal guardian sign their falconry application and be legally responsible for their activities.
    - ii. Apprentice Class falconers can move to General Class by submitting a document from a General Falconer or Master Falconer (preferably his/her sponsor) to the AGFC Falconry Program Coordinator stating that the apprentice

- has practiced falconry with wild raptor(s) at the Apprentice Falconry level or equivalent for at least two years, including maintaining, training capture, release and flying and hunting the raptor(s) for at least four months each year. The letter must state the number of months and days that the Apprentice falconers possessed a falconry raptor.
- iii. Apprentice class falconers may not substitute any falconry school program or education to shorten the period of two years at the Apprentice Level.
  - iv. General Class falconers may take and possess any species of Falconiform or Strigiform except a golden eagle, a bald eagle a white-tailed eagle or a Steller's sea eagle. General falconers may possess captive bred individuals and hybrids of the species that General Class falconers are allowed to possess.
  - v. General Class falconers may possess no more than 3 raptors.
3. Master Class Eligibility, and Application Conditions and Requirements: Master Class falconers must have practiced falconry with their own raptors(s) at the General Falconer level for at least 5 years.
- i. General Class falconers can move to Master Class by submitting a document in writing to AGFC's Falconry Coordinator requesting to be moved to Master Class status. The request must include the species and number of months and years that the General Class falconer possessed each raptor during his/her General Class period.
  - ii. Master Class Falconers may take and possess any species of Falconiform or Strigiform except a bald eagle. Master Class falconers may take and possess a golden, eagle, a white-tailed eagle or a Steller's sea eagle only if he/she possesses a Falconry Eagle Permit. Master Class falconers may use captive bred individuals and hybrids of the species Master falconers are allowed to possess.
  - iii. Master Class falconers may possess no more than five wild raptors (including golden eagles if the Master Class falconer has a Falconry Eagle Permit).
  - iv. Master Class falconers may possess any number of captive bred raptors, however, the falconer must train them in the pursuit of wild game and use them in hunting.
4. Falconry Eagle Permit Eligibility, and Application Conditions and Requirements.
- i. Master Class falconers may take and possess golden, eagles, white-tailed eagles or a Steller's sea eagles when issued an Arkansas Falconry Eagle Permit. Master Class falconers will be issued an Arkansas Eagle Falconry



Permit when the Master Class falconer has demonstrated satisfactory compliance with the following requirements.

- a. A list of qualifications and experience in handling large raptors, including information about the species the applicant has handled and the type and duration of the activity in which the applicant gained the experience submitted in writing to the Commission's Falconry Coordinator.
  - b. At least two letters of reference from people with experience handling and/or flying large raptors such as eagles, ferruginous hawks, goshawks, or great horned owls. Each must contain a concise history of the author's experience with large raptors, which can include but is not limited to the handling of raptors held by zoos, rehabilitating large raptors, or scientific studies of involving large raptors. Each letter must also assess the applicant's ability to care for eagles and fly them in falconry and must be submitted to the Commission's Falconry Coordinator.
  - ii. A golden eagle, white-tailed sea eagle, or Steller's sea eagle possessed by a Master falconer with a Falconry Eagle permit will count as one of the raptors in that falconer's total wild bird possession limit as a master falconer.
  - iii. Master Class falconers with a Falconry Eagle Permit may take one or two golden eagles from the wild according to both federal regulations and the regulations of the state in which the eagle is taken.
  - iv. Master Class falconers with an Eagle Permit may take, transport or possess up to three eagles including golden eagles, white-tailed eagles and/or Steller's sea eagles. Each eagle a Master falconer possesses counts as a bird included under the Master falconer's wild bird possession limit. Master falconers in possession of eagle(s) must follow all federal regulations and guidelines pertaining to eagles.
5. Eligibility Requirements to obtain falconry permit for individuals with falconry experience who are new residents in the United States.
- i. Applicant must pass a written falconry examination administered by the Commission with a score of at least 80 percent and must provide written documentation of falconry experience including species of raptors flown and game taken and must have their falconry facilities and equipment pass inspection by an employee of AGFC.
  - ii. The Arkansas Falconry Coordinator will assign a falconry Class level commensurate with the new resident falconer's experience.

6. Eligibility requirements to obtain falconry permit for individuals with falconry experience who are not U.S. Residents.
  - i. A visitor to Arkansas from outside of the United States may qualify for a one year renewable Arkansas Non-U.S. Resident Temporary Falconry Permit at the level appropriate for his/her experience according to the following requirements:
    - a. The visitor must take the written test, Arkansas Falconry Examination, and pass with a score of 80 or higher; the visitor must provide a written letter detailing the visitor's falconry experience which the Commission's Falconry Coordinator will use to assign the level of Apprentice, General or Master falconer to the temporary falconry permit; and the visitor must have his facilities pass inspection in order to possess birds for falconry.
  - ii. Holders of an Arkansas Non-U.S. resident Temporary Falconry Permit may not take a bird from the wild for use in falconry.
  - iii. Holders of an Arkansas Non-U.S. Resident Temporary Falconry Permit may fly raptors held for falconry by a permitted Arkansas falconer.
  - iv. Holders of an Arkansas Non-U.S. Resident Temporary Falconry Permit may use any bird for falconry that he/she possesses legally in their country of origin for that purpose, provided that import of that species in the U.S. is not prohibited and provided that he/she has met all permitting requirements in their country of residence.
  - v. Holders of a temporary falconry permit must also have a current Arkansas Non-Resident Annual Small Game Hunting License.
  - vi. A holder of an Arkansas Non-U.S. resident Temporary Falconry Permit may transport registered raptors and must follow federal regulations and possess the necessary federal permits to import or export raptors to and from the United States. Unless the permit holder has the necessary federal permits to bring a raptor into the United States and leave it in the U.S., he/she must take raptors brought into the country for falconry out of the country when he/she leaves.
  - vii. If a raptor brought into the United States and Arkansas dies or is lost in the state, the visitor must report the loss to the Commission's Falconry Coordinator before leaving the state or country.
  - viii. When flown free, any bird brought to this country temporarily must have two functioning radio transmitters attached to the bird which will enable the falconer to locate it.
  - ix. A holder of an Arkansas Non-U.S. resident Falconry Permit must comply with all Commission regulations and the falconry regulation in the states where he/she wishes to

- conduct falconry or through which he/she will travel with the falconry bird.
7. Additional Requirements regarding falconry permits including Reinstatement of lapsed falconry permit and residency requirements.
    - i. If a previously licensed falconer's permit has lapsed for fewer than five years, his/her permit may be reinstated at the level they held previously if they provide the Commission's falconry Coordinator with proof of their certification at that level and their facilities must pass inspection by an AGFC employee.
    - ii. If a previously licensed falconer's permit has lapsed for more than five years, they must pass the Arkansas Falconry written exam by correctly answering 80 percent of the questions and their facilities must pass inspection by an AGFC employee and they must provide written documentation of the class (Apprentice, General, Master) at which they were last permitted or licensed and for which they want their permit issued.
    - iii. If a permitted falconer resides for part of a year in another state, the falconer must contact that state to determine if they need to obtain a falconry permit from that state.
    - iv. If a falconer lives for more than 120 consecutive days in a state, territory of tribal land other than their Arkansas residence, their falconry facilities in that second state must meet Arkansas standards.
  8. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding facilities and care.
    - i. Falconry Facility Requirements: Conditions for Facilities maintained on property owned or controlled by the falconer.
      - a. The Commission must be notified in five days of a change of location of a permittee's falconry facilities and a falconer must have new facilities inspected in 30 days of a change of location.
      - b. Birds must be kept in humane and healthful conditions, protected from the environment, predators and domestic animals.
      - c. An indoor facility must have a suitable perch for each raptor, at least one opening for sunlight and must provide a healthy environment.
      - d. Untethered raptors may be housed together if they are compatible with each other.
      - e. Each raptor must have an area large enough to allow it to fly if it is untethered or, if tethered, to fully extend its wings or bate (attempt to fly when tethered) without damaging its feathers or contacting other raptors. It must be large enough to insure that tethered birds cannot strike the enclosure when flying from the perch.

- f. Each raptor must have a pan of clean water available at all times.
- g. An indoor facility must be large enough to allow easy access for the care and feeding of raptors kept there and must have flooring that allows drainage, does not retain moisture and allows for sanitary maintenance activities.
- h. If raptors housed in an indoor facility are not tethered, all walls that are not solid must be protected on the inside. Suitable materials may include vertical bars spaced narrower than the width of the smallest raptor housed in the enclosure or heavy duty netting.
- i. Acceptable indoor facilities include shelf perch enclosures where raptors are tethered side by side. Other innovative housing systems are acceptable if they provide the enclosed raptors with protection and provide healthy feathers and fresh air.
- j. Falconry raptors may be kept inside the falconer's place of residence if a suitable perch or perches are provided. The residence's windows or other openings do not need to be modified. Raptors kept in a residence must be tethered when they are not being moved into or out of the location in which they are being kept.
- k. All falconers in possession of falconry raptors must have and maintain jesses or the materials and equipment to make jesses appropriate for the size raptor in their possession, leash and swivel, bath container, and scales or balances appropriate for weighing raptors in the falconers' possession (scales for kestrels must weigh in increments of one grams or less).
- l. Falconry raptors may be kept outside in the open if they are under watch, such as by the falconer or a family member at any location or, for example by a designated individual in a weathering yard at falconry meet.
- m. Permittees must keep all facilities and equipment at or above these standards at all times.
- ii. Falconry Facility Requirements: Conditions for facilities maintained on property not owned or controlled by the falconer.
  - a. Regardless of location, a falconer's facilities must meet all the requirements listed for facilities on property owned or controlled by the falconer.
  - b. Falconer must submit a dated statement to the Commission's Falconry Coordinator showing that the falconer or the property owners (if the falconer's facilities are on property not owned or leased by the falconer) agrees that the falconry facilities,

- equipment, and raptors may be inspected without advance notice by Commission personnel at any reasonable time of day.
- iii. Transportation Facilities: Conditions for care and facilities for transporting raptors.
    - a. When transporting a raptor, using a raptor for hunting or for temporary housing when away from home a falconer is required to have a suitable perch and protect the raptor from extreme temperatures, wind, and excessive disturbance.
    - b. A “giant hood” or similar container is acceptable for transporting or housing a raptor when away from home.
  - iv. Temporary Facilities: Conditions for temporary care and facilities for raptors.
    - a. A falconer may house a raptor in temporary facilities for no more than 120 consecutive calendar days if the bird has a suitable perch and is protected from predators, domestic animals, extreme temperatures, wind, and excessive disturbance.
  - v. Conditions for Care of Falconry Raptors by Another Falconry Permittee: Another falconry permittee may care for a falconer’s raptor or raptors at the falconer’s facilities or at the other permittee’s facilities for up to 120 consecutive calendar days provided the following conditions are met:
    - a. The other permittee must have a signed and dated statement from the falconer authorizing the other falconry permittee the temporary possession of the falconry raptor(s). This written statement must include information about the time period for which the other falconry permittee will keep the raptor(s) and state what he or she is allowed to do with the raptor(s). If the other falconry permittee caring for the raptor(s) holds the appropriate level falconry permit, he/she may fly the falconer's raptors in whatever way the falconer authorizes, including hunting.
    - b. The written authorization to the other falconry permittee from the falconer must be accompanied by a copy of FWS form 3-186A that shows the falconer as the authorized possessor of each of the falconry raptor(s).
    - c. The raptor(s) must remain on the falconer’s permit and will not count against the possession limit of the other falconry permittee caring for the raptors.
  - vi. Conditions for Care of Falconry Raptors by a Person who does not have a falconry permit: A person who does not have a falconry permit may care for a falconer’s raptor(s)

- at the falconer's facilities for up to 45 consecutive calendar days provided the following conditions are met:
- a. The person(s) caring for the raptors may not fly them for any reason.
  - b. The raptors must remain in the falconer's approved facilities.
  - c. The raptors must remain on the falconer's permit.
- vii. Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding taking and possession of raptors from the wild:
- a. Falconers may take no more than 2 raptors from the wild each 365 consecutive day period beginning on the date the falconer took the first bird to use in falconry.
  - b. If a falconer transfers a bird that he/she took from the wild to another falconer in the same year in which it was captured, the bird will count as one of the raptors the falconer is allowed to take from the wild that year; it will not count as a capture by the recipient, although it will always be considered a wild bird.
  - c. Falconers may not intentionally capture a raptor species that their classification as a falconer does not allow them to possess for falconry. Raptors captured by falconers who are not allowed to possess that species or age group must be immediately released.
  - d. Raptors must be taken only in a humane manner. Any device used to take birds of prey shall be labeled with the name, address and phone number of the falconer, and must be attended to continually by the falconer. No eggs may be taken from raptor nests.
  - e. Falconers must immediately release any bird captured unintentionally.
  - f. Falconers may recapture a lost falconry bird for which he/she has submitted a Form 3-186A at any time the recapture will not count as taking a bird from the wild.
  - g. Falconers may recapture a raptor wearing falconry equipment or a captive-bred raptor at any time--even if that falconer is not allowed to possess that species of raptor. The bird will not count against the falconer's possession limit nor their capture from the wild limit. The falconer must report the recapture of the bird to the Commission's Falconry Coordinator no more than five working days after the recapture and return the recaptured falconry bird to the person who lost it if that person legally possessed it. Disposition of a bird whose legal

possession cannot be determined will be at the discretion of the Commission's Falconry Coordinator.

- h. Peregrine falcons banded with a Federal Bird Banding laboratory band may not be taken from the wild, however other raptors banded with a federal bird banding lab may be taken if the falconer is authorized to take that species.
- i. If a falconer captures a peregrine falcon that has a colored alphanumeric research band on it or a research marking attached to it, it must be immediately released.
- j. Passage peregrine falcons may be taken from September 20 through October 20 by an Arkansas resident falconer or non-resident falconer with a non-resident hunting license who has been issued an Arkansas Passage Peregrine Falcon Permit by the Commission in accordance with requirements stated on that permit.
- k. If a falconer captures a raptor that has a transmitter attached to it, the falconer has up to 30 days to contact the researcher to determine if he/she wishes to replace the transmitter or its batteries. If the researcher wishes to do so or to have the transmitter removed, the researcher or his/her designee can make the change or allow the falconer to do so before the falconer releases the falcon.
- l. If a falconer captures a raptor wearing a seamless metal band, a transmitter, or any other item identifying it as a falconry bird, the falconer must report the capture of the bird to the Commission's falconry Coordinator no more than five working days after the capture. The falconer must return the bird to the person who lost it, however, if that person cannot possess the bird or does not want to possess it, the falconer may keep it. Disposition of a bird who's legal possession cannot be determined will be at the discretion of the Commission's Falconry Coordinator. During the time period when a falconer keeps a bird for return to the person who lost it, the bird will not count toward the falconer's possession limit or his/her limit on take of birds from the wild, as long as the falconer reports the bird to the Commission in 5 working days of capture.
- m. If a falconer captures a raptor with a band other than the Federal Bird Banding Lab aluminum band, research marking or transmitter attached to it, the falconer must report the band numbers and all other relevant information to the Federal Bird Banding Laboratory in five working days. If the bird is wearing a transmitter, the falconer may contact the

researcher to determine if he/she wishes to replace it. The falconer is authorized to possess the bird for up to 30 days until the researcher or his/her designee does so, or until the falconer replaces it himself. Disposition of the bird will be at the discretion of the Commission's Falconry Coordinator. Temporary possession will not count against the falconer's possession limit.

- n. General and/or Master Class falconers may remove nestlings from a nest or aerie in accordance with the following:
  - 1. Take of a raptor from the wild must be reported in five days from the date at which take occurred by entering the required information in the electronic database at <https://epermits.fws.gov/falcp/> or by submitting a paper Form 3-186A to the Commission's Falconry Coordinator.
  - 2. A falconer present at the capture site, even if another person captures the bird for him/her, is considered the person who removes the bird from the wild and is responsible for filing a Form 3-186A.
  - 3. If the falconer is not at the immediate location where the bird is taken from the wild, the person who removes the bird from the wild must be a General or Master falconer and must report taking of the bird. If that person then transfers the bird to the falconer, both must file a Form 3-186A reporting the transaction no later than five days after the transfer. The bird will count as one of the two raptors the person who took it from the wild is allowed to capture in any year. The bird will not count as a bird the falconer took from the wild. The person who takes the bird from the wild must report the take even if he or she promptly transfer the bird to another falconer.
  - 4. If a falconer has a long-term or permanent physical impairment that prevents him/her from attending the capture of a species for falconry, a general or Master Falconer may capture the bird for the impaired falconer. The impaired falconer must file a Form 3-186A reporting take of a wild bird and the bird counts against the impaired falconer's total take of wild raptors for the year.
- o. Goshawks, Harris hawks, peregrine falcons, and gyrfalcons captured from the wild or acquired from a rehabilitator must be banded with a permanent non-reusable numbered U.S. Fish and Wildlife



Service leg band provided to AGFC by the U.S. Fish and Wildlife; or implanted with an ISO-compliant microchip. Band numbers and or microchip information must be reported to both AGFC's Falconry Coordinator and the U.S. Fish and Wildlife Service when the acquisition of the bird is reported by the falconer no later than 10 days after acquisition.

1. **EXCEPTION:** If a falconer documents that a raptor's health or injury problems are caused by the band, that documentation must be submitted to the Commission's Falconry Coordinator who will issue an exemption to the requirements for that raptor. The falconer must keep a copy of the exemption paperwork on his person when transporting or flying that raptor. If that bird is wild caught goshawk, Harris's hawk, peregrine falcon, or gyrfalcon, the band must be replaced with an ISO-compliant microchip provided to the falconer through the Commission by the U.S. Fish and Wildlife Service.
- p. A raptor captured from the wild may not be banded with a seamless numbered band.
- q. Falconry bands may not be altered, defaced or counterfeited; however removal of the rear tab on a band on a raptor taken from the wild, and smoothing the surface without affecting the integrity of the band or the numbering on it is permissible.
- r. Take of eyas (nestling raptors incapable of flight) birds is allowed between January 1 and August 1 of each year.
- s. Take of passage (raptors fledged from the nest but less than 1 year of age) is allowed from June 15 through March 1.
- t. Take of raptors from the wild must be reported in 5 days from the date at which take occurred by entering the required information in the electronic database at <https://epermits.fws.gov/falcp/> or by submitting a paper Form 3-186A to the Commission's Falconry Coordinator.
- viii. Permit Requirements: It shall be unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding possession of raptors bred in captivity:
  - a. Falconry raptors bred in captivity must be banded with a U.S. Fish and Wildlife Service seamless band or be micro-chipped.
  - b. If the seamless band is removed or lost, the falconer must report it and request a replacement band from

- AGFC no less than 10 days after the band is removed or lost.
- c. The required information must be reported electronically (<http://permits.fws.gov/186A>) immediately upon rebanding or microchipping or by submitted federal Form 3-186-A to the AGFC Falconry Coordinator.
- ix. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding possession of raptors transferred from migratory bird rehabilitators.
    - a. Falconers may acquire a bird for falconry from a federally permitted migratory bird rehabilitator if the falconer is permitted to possess that species of bird for falconry. Acquisition of a bird from a rehabilitator will count as one of the raptors the falconer is permitted to take from the wild. Transfer to the falconer is at the discretion of the permitted rehabilitator. Falconer must report acquisition of the bird using the required reporting procedures.
  - x. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding record keeping:
    - a. Falconers must keep copies of all database submissions, including electronic and paper submissions, documenting take, transfer, loss, release, rebanding and/or microchipping of each falconry raptor until five years after the falconer has transferred or lost the bird, or the bird dies.
    - b. All raptors acquired and disposed of must be reported in 5 days of the date when transaction or transition occurred by entering the required information in the electronic database at <http://permits.fws.gov/186A> or by submitting a paper Form 3-186A to the Commission's Falconry Coordinator.
  - xi. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding the theft of a falconry bird:
    - a. If a raptor possessed under a falconry permit is stolen, the falconer must report the theft to the Commission's Falconry Coordinator and to the U.S. Fish and Wildlife Service Regional Law Enforcement office in 5 working days of the theft of the bird.
  - xii. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding Selling or Trading Raptors held under a Falconry Permit:
    - a. Falconers may sell, purchase, barter, trade, and/or offer for sale, or purchase captive-bred raptors marked with seamless metal bands to other falconry permittees who are authorized to possess them.

- b. Falconers may not purchase, sell, trade or barter wild raptors; they can only transfer them to another falconer or to a recipient who possesses the necessary federal and state permits for that activity.
- c. Wild-caught falconry raptors may be transferred to a raptor propagation permit only after the bird has been used in falconry for at least two years or for one year for sharp-shinned hawks, Cooper's hawks, merlins, and American kestrels.
- d. Wild caught raptors that are less than two years of age or for one year for sharp-shinned hawks, Cooper's hawks, merlins, and American kestrels, may be transferred to another permit type if the bird has been injured and a veterinarian or permitted migratory bird rehabilitator has determined that the raptor can no longer be flown for falconry. Falconer must provide a copy of the Form 3-186A documenting the acquisition of the bird by the propagators to the Federal Migratory Bird Permit office that administers the other permit type.
- e. Falconers may transfer captive-bred falconry raptors to another type of permit if the holder of the other permit type is authorized to possess the bird. Falconers must report the transfer on a Form 3-186A within 5 days of the transfer.
- f. A surviving spouse, executor, administrator or other legal representatives of a deceased falconry permittee may transfer any bird held by the permittee to another authorized permittee in 90 days of the falconer's death. After 90 days, the disposition of a bird held under the permit is at the discretion of the Commission's Falconry Coordinator.
- g. Falconers may use raptors held under a falconry permit in raptor propagation if the falconer or the person overseeing the propagation has the necessary permits if the following requirements are met:
  - 1. If the bird will be used for propagation for fewer than 8 months a year, the falconer does not need to transfer the raptor from his permit.
  - 2. If the raptor is used for propagation for more than 8 months per year, the bird must be transferred to a federal propagation permit and banded as required by federal raptor propagation regulations.

- xiii. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding Taking of Prey by Falconry Raptors:
  - a. Falconers may take wildlife only within the specific seasons and bag limits, except that squirrels and rabbits may be taken outside of the specified hunting season by falconry birds with a daily limit of 1 game mammal per raptor per day.
  - b. If a falconry bird kills a prey animal that was not the falconer's intended prey, and if that kill was outside of the animal's legal open hunting season, the falconers may allow their falconry raptor to feed on the incidental kill but the falconer may not take the animal into possession.
  - c. Falconers must ensure that their activities do not cause the take of a federal listed threatened or endangered species. "Take" under the federal Endangered Species Act means "to harass, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct. "Harass" in this Act means any act that may injure wildlife by disrupting normal behavior including breeding, feeding or sheltering. "Harm" in this Act means an act that actually kills or injure wildlife. Falconers must report the location of the take of any federally listed threatened or endangered species to the state's U.S. Fish and Wildlife Service Ecological Services field office.
  - d. Falconry take of bird species for which a federal depredation order is in place is permitted. Falconers may use their falconry raptors to take any species listed in 50 CFR 21, 50 CFR 23, 50 CFR 44, or 50 CFR 45 at any time in accordance with the conditions of the depredation order, however, the falconer may not be paid for doing so.
- xiv. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding Release of Falconry Birds into the Wild and Falconry Training Techniques:
  - a. The use of acceptable falconry training or conditioning practices includes but is not limited to, tame-hacking, the use of creance flying, lures, balloons or kites, flying falconry birds at pen-raised birds or birds not covered by the Migratory Treaty Act.
  - b. Hacking of Falconry Raptors: General and Master Class falconers may condition raptors for falconry with the following requirements:
    - 1. The raptor the falconer hacks must be a species the falconer is allowed to possess and counts against the falconer's possession limit.

2. A hybrid raptor may be hacked if the raptor wearing two functioning radio transmitters.
3. Hacking a raptor may not occur near a nesting area of a federally threatened or endangered bird species or in any location where the raptor is likely to harm a federally listed threatened or endangered species that might be disturbed or taken by the hacked falconry bird.
- c. Falconers may only release back to the wild in Arkansas, wild caught raptors native to the state. Non-native raptor species, hybrid raptor species, and raptors bred in captivity may not be released back to the wild in Arkansas. Wild-caught raptors must be released at an appropriate time of year and an appropriate location and any and all bands and falconry equipment must be removed from the raptor prior to its release.
- d. When flown free, hybrid falcons must have at least two functioning radio transmitters attached to it to assist the falconer in locating the bird.
- xv. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding migratory bird feather and carcass possession:
  - a. A falconer may possess flight feathers for each species of raptor he/she currently and previously held on his/her permit for imping purposes.
  - b. Falconers may give and/or receive feathers for imping from other permitted falconers, federally permitted wildlife rehabilitators, or federally permitted raptor propagators in the United States.
  - c. Flight feathers for imping may not be purchased, sold, or bartered.
  - d. Falconers may donate feathers, except golden eagle feathers, to any person or institution with a permit to possess them or to anyone exempt from permit requirements under [50 CFR 21.12](#).
  - e. If a falconer's permit expires or is revoked, the falconer must burn, bury or otherwise destroy imping feathers in their possession or donate the feathers to any person or institution with a permit to possess them or to anyone exempt from permit requirements under [50 CFR 21.12](#).
  - f. Master Falconers in possession of a golden eagle must gather primary and secondary flight feathers and retrices from molted by their golden eagle(s) and store them for imping or send them to the National Eagle Repository.
  - g. Carcasses of falconry birds that die while in the falconer's possession may be burned, buried or otherwise destroyed and disposed of in 10 days of

death or 10 days of necropsy by a veterinarian, or donated to any person or institution with a permit to possess them or donated to anyone exempt from permit requirements under [50 CFR 21.12](#)

- h. Carcasses of euthanized raptors must be disposed of in a manner that will prevent scavenger from feeding on them. Flight feathers may be retained for imping purposes.
- i. **EXCEPTIONS:**
  - a. Carcasses of golden eagles must be sent to the National Eagle Repository.
  - b. Banded or microchipped falconry birds that die while in the falconer's possession maybe kept by the falconer so that the feathers are available for imping or the falconer may have the body mounted by a taxidermist and the mount used in educational programs. Bands must remain on the body and microchips must be left in place.
- xvi. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding Raptors Injured Due to a Falconer's Trapping Efforts:
  - a. If a raptor is injured during trapping, a falconer must either:
    - 1. Put the injured bird on his/her falconry permit and follow procedures outlined for reporting take of a bird from the wild falconry. The bird will count towards the falconer's possession limit. The falconer must have the injured bird treated by a veterinarian or a permitted migratory bird rehabilitator, and the falconer is responsible for the costs of care and rehabilitation of the bird; OR
    - 2. Give the bird directly (within 24 hours) to a veterinarian or permitted migratory bird rehabilitator. The bird will not count against the falconer's take or possession limits; however, the falconer is responsible for the costs of care and rehabilitation of the bird.
- xvii. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding assistance in the rehabilitation of raptors to prepare them for release according to the following requirements:
  - a. A General or Master Class falconer may assist a federally permitted migratory bird rehabilitator to condition a raptor in preparation for its release to the wild only if the falconer has a letter or form from the rehabilitator identifying the bird and explaining that the falconer is assisting in its rehabilitation.

- b. The falconer does not have to meet the rehabilitator facility guidelines and may keep the rehabilitating raptor in his/her approved falconry facilities.
  - c. The rehabilitating raptor will remain on the rehabilitator's permit and will not be added to the falconer's permit.
  - d. The falconer must return any such bird that cannot be permanently released to the rehabilitator for placement in the 180-day timeframe in which the rehabilitator is federally authorized to possess this bird unless the issuing office authorized the rehabilitator to retain the bird longer than 180 days.
  - e. The falconer must coordinate with the rehabilitator and release all releasable raptors to the wild or return them to the rehabilitator for release in the 180 day timeframe in which the rehabilitator is federally authorized to possess this bird, unless the issuing office authorized the rehabilitator to retain the bird longer than 180 days, or unless the rehabilitator transfer the bird to the falconer you to hold under his/her falconry permit.
- xviii. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding Use of Falconry Raptors in Abatement and Education Activities:
- a. Falconers may use raptors possessed on their falconry permits in conservation education program presented in public venues follow without first obtaining a federal Education Permit if they abide by the following requirements:
    1. Raptors used in the program must be on their falconry permit and used primarily for falconry.
    2. Apprentice falconers presenting educational programs must be under direct supervision of a General or Master Class falconer.
    3. If a fee is charged for presentation of a conservation education program, the fee may not exceed the amount required to recoup the falconer's cost of presenting the program.
    4. The presentation is required to address falconry and conservation education and may also include information about the biology, ecological roles, and conservation needs of raptors and other migratory birds.
    5. The falconer is responsible for all liability associated with his/her conservation education activities.
    6. Falconers may allow photography, filming or other such uses of his/her falconry raptors to make movies or other sources of information

on the practice of falconry or on the biology, ecological roles, and conservation needs of raptors and/or migratory birds however the falconer may not be paid for doing so.

7. Falconers may not use their falconry raptors in movies, commercials or other commercial ventures that are not related to falconry.
  - b. A Master Class falconer may conduct abatement activities with his/her falconry birds if the falconer has first obtained a federal Special Purpose Abatement permit from the U.S. Fish and Wildlife Service.
  - c. A General Class falconer may conduct abatement activities only as a sub permittees of the holder of the federal Abatement permit and both Master and General Class falconers must follow the conditions of the said permit.
- xix. Permit Requirements: It is unlawful for falconers holding a permit issued by another state to fail to comply with the following requirements regarding Non-resident falconers hunting and taking raptors in Arkansas:
- a. Non-resident falconers with a Non-Resident Small Game Hunting License may take game in Arkansas according to state and federal regulations.
  - b. Non-resident falconers with a non-resident Arkansas Small Game Hunting License may take 1 legal raptor per year in Arkansas provided the state of their residence reciprocates such approval for Arkansas falconers and the taking of a legal raptor by a non-resident must comply with Arkansas regulations.
- xx. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding taking falconry raptors to another country for use in falconry activities:
- a. An Arkansas falconry permit authorized the falconer to export and import to another country, without additional migratory bird import/export permits, the raptors the falconer legally possesses for falconry. The falconer must meet any federal requirements in 50 CFR 14 Part B and may need additional permits listed in 50 CFR 15, 50 CFR 17, and 50 CFR 23.
  - b. Unless the falconer has the necessary permits to export raptors from the U.S. the falconer must bring any raptor taken out of the country for falconry back to the U.S. upon his/her return. Each raptor must be covered by a CITES certificate of ownership and the falconer must have full documentation of the lawful origin of each raptor and each raptor must be identifiable with a permanent non-reusable U.S. Fish



- and Wildlife Service leg band, seamless leg band or implanted microchip for identification.
- c. If the raptor dies or is lost, the falconer is not required to bring it back but it must be reported immediately upon the falconers return to the U.S. according to state and federal CITES regulations.
- xxi. Permit Requirements: It is unlawful for holders of Falconry Permits to fail to comply with the following requirements regarding facility inspection and permit revocation.
- a. Any person issued a Falconry Permit under this Code chapter shall allow entry, at any reasonable hour, to employees or agents of the Commission upon the premises where the permitted activity is conducted. Commission employees or agents may enter such premises to inspect the facility, any and all records associated with the activities relating to the permit, and any birds kept under the authority of the permit.
  - b. Permits may be revoked by this Agency for failure to comply with the terms of the permit or with the terms of this Commission Code Section.
  - c. Persons in violation of the terms of this permit, violation of the Commission Code, or upon conviction of associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing of such violations and shall have 20 days to respond with just cause as to why their permit should not be suspended or revoked.
  - d. If, at the end of the 20-day period, just cause has not been given, this Agency may suspend or revoke any existing permit held by the violator and may refuse to issue any future permit. Such suspension, revocation or refusal to issue a future permit shall be in addition to any criminal charges that may be filed.
  - e. Upon revocation, the permit holder must legally transfer or release all falconry raptors in the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense

## **F1.08 Venomous Reptile Possession Permit Requirements**

- A. Permit Requirements: A Venomous Reptile Permit may be issued to applicants complying with the following requirements:
1. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within 5 years of the application date.
  2. The applicant shall provide to the Commission, in writing, proof from the appropriate county or municipal jurisdiction, stating that the applicant's possession of medically significant venomous reptiles is in compliance with all local ordinances.
  3. The applicant shall submit a written application (available from the Commission) for each facility to be permitted
- B. The requested permit shall be denied if:
1. The applicant fails to meet any of the issuance criteria set forth in this Addendum chapter;
  2. The applicant fails to disclose material information required, or makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
  3. The Commission finds, through further inquiry or investigation, the issuance of the permit may pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or the proposed species cannot be safely confined in a humane manner.
  4. The species requested in the application are listed in Addendum [R1.03](#).
- C. Caging and Facility Requirements: Venomous Reptile Possession Permittees shall provide secure housing of all medically significant venomous reptiles as defined herein:
1. Animal enclosures whether manufactured or constructed (e.g., wood, injection molded plastics, etc.) shall be made in such a way to provide security against escape. The door, lid, or access feature shall be securely latched or locked to prevent escape of enclosed reptiles.
  2. Rooms in buildings or free standing structures housing venomous reptiles shall be locked when not occupied and must be escape proof not limited to doors, windows, ventilation ducts, gaps or cracks in the structure, etc., so as to provide secondary containment of reptiles that escape their enclosure. When a person is inside any room housing venomous reptiles, all escape routes, including doors, serving as secondary containment must remain closed.
  3. Doorways entering rooms containing venomous reptiles shall have prominent warning signage on doors that is clearly visible and states "Warning: Venomous Reptiles."

4. Persons temporarily displaying native venomous reptiles to the public must meet the above requirements or alternatively the following:
    - i. Native venomous reptiles must be kept in keyed or combination locked enclosures;
    - ii. Open-topped exhibition areas must have, at a minimum, 2 physical barriers completely surrounding the exhibition area and separating the public from the venomous reptiles, by at least 3 feet, to provide security against escape and to prevent contact between the public and the snakes and must be clearly and visibly labeled with a warning sign stating "Venomous Reptile";
    - iii. Permit holder or a trained representative must be on-site at all times when venomous reptiles are in temporary exhibition area; when such an individual is not present, venomous reptiles must be kept in secure containers which lock or are stored in locked rooms. A manifest must be present containing common and scientific name and number of each venomous reptile species in the exhibition area; and
    - iv. A detailed safety plan, including a barrier design description, must be approved by the Commission.
  5. Venomous reptiles permanently displayed to the public must be kept in accordance with a detailed safety plan, including a barrier design description, approved by the Commission.
  6. All permanent enclosures or exhibition areas housing venomous reptiles shall be clearly and visibly labeled: (a) "Venomous Reptile"; (b) common and scientific name; and (c) number of each venomous reptile species in the enclosure or exhibition area. The permittee must remove such labeling from empty enclosures.
- D. Reporting and Record-keeping Requirements:
1. The permittee must retain records evidencing legal possession of all wildlife kept under the permit, including licenses, bills of sale, bills of lading, receipts, invoices or other satisfactory evidence of ownership. Records shall include date of acquisition, place of origin, and the name, address and telephone number of the person from whom the wildlife was acquired.
  2. Records must be retained throughout the time the wildlife is possessed by the permittee or for 5 years, whichever is longer.
  3. After July 1, 2021, stock shall only be obtained in the following manner: (1) acquired from Commission-permitted Wildlife Breeder/Dealer; (2) imported into the state in accordance with a Wildlife Importation Permit (Codes [09.10](#) and [09.11](#)); or (3) legally captured from the wild in Arkansas in accordance with Code [09.14](#)(A). Permits will not be issued to, and existing permits may be revoked for, facilities that have acquired stock by any other method.

E. Inspections and Escaped Reptiles:

1. Any facilities and wildlife maintained under the authority of a Venomous Reptile Possession Permit shall be subject to inspection by Commission employees or agents.
2. Permittees shall be given adequate notification prior to inspections and during reasonable hours.
3. Permit holders whose facility, including enclosures, pens, and cages, is not in compliance with this Commission Addendum Chapter shall be notified in writing and shall have 10 days to correct the violation.
4. A permittee must immediately initiate efforts to capture any escaped animals in their possession. The Commission shall be notified within 24 hours of the escape of any reptiles from the facility.

F. Transport Requirements:

1. Medically significant venomous reptiles will be placed in secure ventilated escape-proof containers for transport. Such containers might include secured snake bags inside locking boxes, ventilated buckets or boxes with lids that snap or screw shut, or other secure containers designed specifically for the purpose. All transport containers shall not be left unattended, and shall be clearly labeled "Caution: Venomous Reptiles."

G. Renewal, Transfer, Suspension, and Revocation:

1. Permits may be revoked for failure to comply with the terms of the permit or with the terms of this Addendum Chapter.
2. Persons in violation of the terms of this permit, violation of the Commission Addendum, or upon conviction or entry of a plea of guilty or nolo contendere for violation of any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals, shall be notified in writing of such violations and shall have 20 days to respond.
3. If, at the end of 20 days, just cause has not been given, the Commission may suspend or revoke any existing permit and refuse to issue any future permit. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
4. Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.

## **F1.09 Scientific Collection Permit Requirements**

- A. Permit Requirements: A Scientific Collection Permit may be issued to applicants complying with the following requirements:
1. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within 5 years of the application date.
  2. The applicant shall complete and submit a written application form provided by the Commission.
  3. Special conditions may be applied to the Scientific Collection Permit as deemed necessary by Commission staff.
- B. The requested permit shall be denied if:
1. The applicant fails to meet any of the issuance criteria set forth in this Addendum chapter;
  2. The applicant fails to disclose material information required, or makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
  3. The Commission finds, through further inquiry or investigation, the issuance of the permit may pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or the proposed species cannot be safely confined in a humane manner; or
  4. The applicant fails to provide a report for a previously issued permit.
- C. The requested permit may be denied if the Commission finds through further inquiry or investigation that the proposed methods are not consistent with generally accepted scientific research practices or the proposed research would not significantly contribute to scientific knowledge.
- D. Caging and Facility Requirements: All Scientific Collection Permittees shall provide secure housing of all wildlife removed from the wild as defined herein:
1. 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.
  2. All native medically significant venomous reptiles must be kept in accordance with Addendum [F1.08\(C\)](#) and (F).
  3. It is unlawful for anyone to keep animals under inhumane or unhealthy conditions.
- E. Reporting: Holders of the Scientific Collection Permit shall submit legible, complete annual reports on forms provided by the Commission.

F. Renewal, Transfer, Suspension and Revocation:

1. Permits may be revoked or suspended for failure to comply with the terms of the permit or with the terms of this Addendum Chapter.
2. Persons in violation of the terms of this permit, violation of the Commission Addendum, or upon conviction of associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing of such violations and shall have 20 days to respond.
3. If, at the end of 20 days, just cause has not been given, the Commission may revoke any existing permit and refuse to issue any future permit. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
4. Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.

## **F1.10 Conservation Education Permit Requirements**

- A. Permit Requirements: A Conservation Education Permit may be issued to applicants complying with the following requirements:
1. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within 5 years of the application date.
  2. The applicant shall provide to the Commission, in writing, proof from the appropriate county or municipal jurisdiction, stating that the applicant's possession of wildlife is in compliance with all local ordinances.
  3. The applicant shall complete and submit a written application form provided by the Commission.
  4. The applicant shall possess a minimum of 20 hours conservation education experience involving the use of live animals and provide letters of support from at least 2 non-familial individuals familiar with the applicant's experience.
  5. The applicant shall provide proof of possessing a valid U.S. Department of Agriculture Wildlife Exhibition Permit for all mammal species.
  6. Special conditions may be applied to the Conservation Education Permit as deemed necessary by Commission staff.
- B. The requested permit shall be denied if:
1. The applicant fails to meet any of the issuance criteria set forth in this Addendum chapter;
  2. The applicant fails to disclose material information required, or makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
  3. The Commission finds, through further inquiry or investigation, the issuance of the permit may pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or the proposed species cannot be safely confined in a humane manner;
  4. The applicant fails to provide a report for a previously issued permit; or
  5. The Commission finds, through further inquiry or investigation, that the applicant's proposed conservation education activities do not possess sufficient educational rigor.
- C. Caging and Facility Requirements: All Conservation Education Permittees shall provide secure housing of all wildlife removed from the wild as defined herein:
1. 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.

2. All native medically significant venomous reptiles must be kept in accordance with Addendum [F1.08\(C\)](#) and (F), except as otherwise approved in the applicant's permit conditions.
  3. It is unlawful for anyone to keep animals under inhumane or unhealthy conditions.
  4. Males and females of the same species must be kept in separate enclosures.
- D. Reporting: Holders of the Conservation Education Permit shall submit legible, complete annual reports on forms provided by the Commission that shall detail provision of at least 20 hours of conservation education to the public using animals kept under this permit for each annual report.
- E. Transport Requirements:
1. All wildlife possessed in captivity shall be transported in ventilated containers or cages that are sufficiently strong to prevent escape of the wildlife and that will protect the wildlife from injury.
  2. Native, medically significant venomous reptiles shall be transported in accordance with Addendum [F1.08\(F\)\(1\)](#).
- F. Renewal, Transfer, Suspension, and Revocation:
1. Permits may be revoked or suspended for failure to comply with the terms of the permit or with the terms of this Addendum Chapter.
  2. Persons in violation of the terms of this permit, violation of the Commission Addendum, or upon conviction or entry of a plea of guilty or nolo contendere for violation of any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals, shall be notified in writing of such violations and shall have 20 days to respond.
  3. If, at the end of 20 days, just cause has not been given, the Commission may revoke any existing permit and refuse to issue any future permit. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
  4. Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.



## **F1.11 Shoot-to-Kill Retrieving Dog Training Permit Requirements**

- A. Shoot-to-Kill Retrieving Dog Training Permit applications must comply with the following:
1. The applicant must be at least 18 years of age and shall not have been convicted of, or entered a plea of guilty or nolo contendere for violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within 5 years of the application date.
  2. The applicant shall be a resident of Arkansas with a bona fide or actual residence within the stat.
  3. An application for the permit shall be submitted on a form supplied by the Commission at least two weeks prior to the desired start of training.
  4. Permits are valid for 60 days from date of issuance.
- B. Permit Requirements
1. A maximum of 100 total mallards may be possessed by the permit holder for a period not to exceed 60 days.
  2. Stock shall only be acquired from either a Commission-permitted Wildlife Breeder/Dealer or have been brought into the state in accordance with a Commission Wildlife Importation Permit. Permits will not be issued to and existing permits may be revoked for facilities that have acquired stock by any other method.
  3. The permit holder shall release only the number of mallards intended to be harvested each day.
  4. The permit holder must possess a current hunting license.
  5. The permit holder must possess a valid training permit on his or her person while training their dogs with released captive birds.
  6. Permit holders shall allow entry, at any reasonable hours, to Commission employees or agents to inspect the wildlife, facilities, books, records, or permits required by the permit.
- C. Record Keeping
1. Records shall include evidence of legal possession of all wildlife kept under this permit, including licenses, bills of sale, bills of lading, receipts, invoices or other satisfactory evidence of ownership. Records shall include the date of acquisition, place of origin, and the name, address and telephone number of the person from whom the wildlife was acquired. Records of the date and number of birds released and number taken shall also be maintained.
- D. Facility and Caging Requirements
1. Birds possessed in captivity shall be maintained in buildings or covered pens that prevent escape, protect the birds from injury and prevent entry of wild birds.
  2. Enclosures shall be kept in good repair at all times and gates shall be securely fastened with latches or locks.

3. All wildlife shall be maintained under humane and healthy conditions.

E. Permit Suspension and Revocation:

1. Persons in violation of the terms of this permit, this addendum chapter, Commission Codes, or convicted of violating associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing and shall have 20 days to respond with just cause as to why their permit should not be suspended or revoked.
2. If after 20 days just cause has not been given, the Commission may suspend or revoke any existing permit held by the violator and may refuse to issue future permits. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
3. Upon revocation, permit holder must remove by legal means all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.