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SENATE BILL NO. 85—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE STATE DEPARTMENT OF AGRICULTURE)

PREFILED NOVEMBER 20, 2018

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Referred to Committee on Natural Resources

**SUMMARY**—Revises provisions governing the importation into this State of certain live animals or parts of the carcass of certain animals. (BDR 45-206)

**FISCAL NOTE:** Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to animals; making it unlawful for a person or any agent or employee of a person to bring into or knowingly possess in this State the carcass or any part of the carcass of any elk, mule deer, white-tailed deer, moose, alternative livestock or certain other animals; prohibiting a person or the person’s agent or employee from bringing any live moose or alternative livestock into this State; providing exceptions; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law prohibits a person or the person’s agent or employee from  
2 bringing certain live animals into this State which are susceptible to chronic  
3 wasting disease, including, without limitation, any Rocky Mountain elk, mule deer  
4 or white-tailed deer. An animal brought into this State in violation of that  
5 prohibition may be seized, destroyed or sent out of this State by the State  
6 Quarantine Officer. (NRS 571.210) A person who violates that prohibition is guilty  
7 of a misdemeanor and, in addition to any criminal penalty, is required to pay an  
8 administrative fine of not more than \$1,000 per violation. (NRS 571.250) **Section 2**  
9 of this bill expands the list of animals which are prohibited from importation into  
10 this State to include any live elk, moose or alternative livestock. Similarly, **section**  
11 **1** of this bill makes it unlawful for a person or any agent or employee of a person  
12 to: (1) bring into this State the carcass or any part of the carcass of certain animals,  
13 including, without limitation, any elk, mule deer, white-tailed deer, moose or



14 alternative livestock; or (2) knowingly possess the carcass or part of the carcass of  
15 such an animal in this State. **Section 1** also provides an exception from that  
16 prohibition for certain parts of the carcass of such an animal and authorizes a game  
17 warden of the Department of Wildlife or any other law enforcement officer to seize,  
18 destroy or send the carcass or part of the carcass out of this State. A person who  
19 violates that prohibition is guilty of a misdemeanor and is subject to the payment of  
20 certain civil penalties for the violation. (NRS 501.385, 501.3855)

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 501 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 ***1. Except as otherwise provided in this section, it is unlawful***  
4 ***for a person or any agent or employee of a person to:***

5 ***(a) Bring into this State the carcass or any part of the carcass***  
6 ***of any of the following animals which were obtained in another***  
7 ***state, territory or country:***

8 ***(1) An elk (Cervus elaphus);***

9 ***(2) A mule deer (Odocoileus hemionus);***

10 ***(3) A white-tailed deer (Odocoileus virginianus);***

11 ***(4) A moose (Alces alces);***

12 ***(5) Any alternative livestock; or***

13 ***(6) Any other animal which the State Quarantine Officer***  
14 ***has, by regulation, declared to be susceptible to chronic wasting***  
15 ***disease and prohibited from importation into this State; or***

16 ***(b) Knowingly possess any carcass or part of the carcass of***  
17 ***any elk, deer, moose, alternative livestock or other animal brought***  
18 ***into this State in violation of paragraph (a).***

19 ***2. A person or any agent or employee of a person may bring***  
20 ***into this State the following parts of the carcass of any elk, deer,***  
21 ***moose, alternative livestock or other animal specified in***  
22 ***subsection 1:***

23 ***(a) The meat of the elk, deer, moose, alternative livestock or***  
24 ***other animal with no part of the spinal column, brain tissue***  
25 ***or head attached, except that one or more bones of the legs or***  
26 ***shoulders may be attached.***

27 ***(b) The hide or cape of the elk, deer, moose, alternative***  
28 ***livestock or other animal with no part of the spinal column, brain***  
29 ***tissue or head attached.***

30 ***(c) The clean skull plate of the elk, deer, moose, alternative***  
31 ***livestock or other animal with antlers attached and no part of the***  
32 ***brain tissue attached.***



1       (d) *The antlers of the elk, deer, moose, alternative livestock or*  
2 *other animal with no meat or tissue other than antler velvet*  
3 *attached.*

4       (e) *The taxidermy mount of the elk, deer, moose, alternative*  
5 *livestock or other animal with no meat or tissue other than antler*  
6 *velvet attached.*

7       (f) *The upper canine teeth of the elk, deer, moose, alternative*  
8 *livestock or other animal, including, without limitation, the bugler,*  
9 *whistler and ivory teeth.*

10       3. *Any carcass or part of the carcass of an elk, deer, moose,*  
11 *alternative livestock or other animal brought into this State or*  
12 *knowingly possessed in this State in violation of this section may*  
13 *be seized, destroyed or sent out of this State by a game warden or*  
14 *any other law enforcement officer within 48 hours. The expense of*  
15 *seizing, destroying or removing the carcass or part of the carcass*  
16 *must be paid by the person or his or her agent or employee who*  
17 *brought the carcass or part of the carcass into this State or*  
18 *knowingly possessed the carcass or part of the carcass in this*  
19 *State.*

20       **Sec. 2.** NRS 571.210 is hereby amended to read as follows:

21       571.210 1. Except as otherwise provided in this section, a  
22 person, or the person's agent or employee may bring into this State  
23 any animal not under special quarantine by the State of Nevada, the  
24 Federal Government, or the state, territory or district of origin in  
25 compliance with regulations adopted by the State Quarantine  
26 Officer.

27       2. Notice that an animal is in transit is not required unless the  
28 animal remains in this State, or is to be unloaded in this State to feed  
29 and rest for longer than 48 hours.

30       3. A person, or the person's agent or employee shall not bring  
31 any animal into this State unless he or she has obtained a health  
32 certificate showing that the animal is free from contagious,  
33 infectious or parasitic diseases or exposure thereto. This requirement  
34 does not apply to any animal whose accustomed range is on both  
35 sides of the Nevada state line and which is being moved from one  
36 portion to another of the accustomed range merely for pasturing and  
37 grazing thereon. The State Quarantine Officer shall adopt  
38 regulations concerning the form of the certificate.

39       4. A person, or the person's agent or employee shall not:

40       (a) Alter a health certificate; or

41       (b) Divert any animal from the destination described on the  
42 health certificate without notifying the State Quarantine Officer  
43 within 72 hours after the diversion of the animal.



1 5. To protect this State from the effects of chronic wasting  
2 disease, a person, or the person's agent or employee shall not bring  
3 into this State any live:

4 (a) ~~[Rocky Mountain elk]~~ *Elk* (*Cervus* ~~[elaphus nelsoni];~~  
5 *elaphus*);

6 (b) Mule deer (*Odocoileus hemionus*);

7 (c) White-tailed deer (*Odocoileus virginianus*); ~~[or]~~

8 (d) *Moose* (*Alces alces*);

9 (e) *Alternative livestock, unless in accordance with a permit*  
10 *obtained pursuant to NRS 576.129; or*

11 (f) Other animal that the State Quarantine Officer has, by  
12 regulation, declared to be susceptible to chronic wasting disease and  
13 prohibited from importation into this State.

14 6. Any animal brought into this State in violation of this  
15 section may be seized, destroyed or sent out of this State by the  
16 State Quarantine Officer within 48 hours. The expense of seizing,  
17 destroying or removing the animal must be paid by the owner or the  
18 owner's agent in charge of the animal and the expense is a lien on  
19 the animal, unless it was destroyed, until paid.

20 **Sec. 3.** This act becomes effective upon passage and approval.

