

APPENDIX A: Pertinent State Laws and Regulations for constrictor, venomous, and other non-native snakes

Part 1.

State Venomous/Non-Native Snake Laws & Regulations

Compiled by AFWA 3/17/2010; updated 5/10/2010

NOTES: This information has been compiled based on info received from State Wildlife Agency personnel, primarily pertaining to native species; some statutes/regulations in place in some states which pertain to non-native reptiles may have been missed. In general, most states regulate the possession and trade of native species, but many do not regulate the possession and trade of non-native species, i.e., no restrictive statutes may exist which pertain to certain non-native species; if so, possession and trade is currently legal and/or not restricted. Further, many counties and local governments have ordinances specifically on possession (or prohibition thereof) of venomous or otherwise “dangerous” species.

Pertinent states’ regulations have been briefly summarized with links to detailed statutes; detailed information is provided for Florida, given their highly developed statutes on this topic.

Anticipated changes:

- Louisiana state legislature recently passed HB 1255, the Animal Amnesty Bill, in the House and is headed for the Senate. It allows individuals who are in possession of regulated or prohibited animals to surrender them to the Dept of Wildlife & Fisheries without penalty. One reason for introducing the bill was to prevent the release of pythons. Also, HB 1354 was introduced this week, yet to be heard on the House Floor. It would require individuals who import, trade or propagate venomous snakes, and constrictors over six feet in length, to obtain a commercial license.
- Connecticut (existing statutes/regulations not listed here) is in the process of revising its statutes pertaining to “dangerous animals,” which may address some large constrictor or venomous snakes.

Alabama:

- It shall be unlawful for any person to possess, sell, offer for sale, import, or release any non-indigenous venomous reptile in or into the State of Alabama, except by written permission of a designated employee of the Department of Conservation and Natural Resources authorized by the Director of the Division of Wildlife and Freshwater Fisheries to issue such permits.

Regs:

- See 220-2-.26 Restrictions on Possession, Sale, Importation and/or Release of Certain Animals and Fish, Part (7)

Alaska:

- Prohibits importing, possessing, transporting and releasing venomous reptiles without a permit from the Commissioner, which may only be granted for educational purposes.
- Only non-native reptiles may be taken as pets under 5 AAC 92.029.

Regs:

- See AS 16.05.921:
<http://touchngo.com/lglcntr/akstats/Statutes/Title16/Chapter05/Section921.htm>

Arkansas:

- It shall be unlawful to possess as personal pets captive non-native wildlife not excepted under Commission regulation 15.01

Regs:

- See 15.01 and 15.02 CAPTIVE NON-NATIVE WILDLIFE
(http://www.agfc.com/pdfs/agfc_code_of_regulations.pdf)

California:

- Pet shops, scientific or educational institutions, or biological supply houses may purchase, receive, possess, sell, or re-sell reptiles and amphibians without a permit if no captive breeding is conducted.
 - o Exceptions: It is unlawful to import and possess, rear, or propagate non-native or restricted species as specified in FGC 2118, 5062 and 14 CCR § 671, except as authorized by a permit from the DFG. Also, some cities/counties include reptiles in their restrictions regarding "dangerous animals", e.g., snakes longer than 6 feet.

Regs:

- See 14 CCR Division 1, Subdivision 1: Section 671
<http://ccr.oal.ca.gov/linkedslice/default.asp?SP=CCR-1000&Action=Welcome>
 - o (click on [Search for a Specific Regulatory Section](#))
- See also <http://law.justia.com/california/codes/fgc/2116-2127.html> (Section 2118)

District of Columbia:

- In DC ST 8-1808, Prohibited Conduct, no person may possess, barter, or trade as a household pet any member of the animal kingdom, with the exception of non-venomous snakes and turtles traditionally kept for household purposes rather than commercial purposes.

Regs:

- See also http://os.dc.gov/os/frames.asp?doc=/os/lib/os/info/odai/title_19/15.pdf

Florida:
Rules of the Florida Fish and Wildlife Conservation Commission
Florida Administrative Code, Chapter 68
05/07/2010

68A-6 Wildlife as Personal Pets

<https://www.flrules.org/gateway/chapterhome.asp?chapter=68A-6>

Relevant portions below:

68A-6.007 Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern.

(1) Any person who keeps, possesses, exhibits or sells any venomous reptiles or reptile of concern shall comply with Sections 379.303, 379.304, 379.305, 379.372, 379.373, 379.374 and 379.3761, F.S., and the provisions of this rule. The following reptiles, including their taxonomic successors, subspecies or hybrids thereof, are designated as reptiles of concern:

(a) Indian or Burmese python (*Python molurus*)

(b) Reticulated python (*Python reticulatus*)

(c) African rock python (*Python sebae*)

(d) Amethystine or Scrub python (*Morelia spp.*) (all species exceeding 12 feet in length upon maturity)

(e) Green anacondas (*Eunectes murinus*)

(f) Nile monitor (*Varanus niloticus*)

(2) General qualifications: Applicants for authorization to possess venomous reptiles or reptiles of concern shall:

(a) Be at least 18 years old at the time of application.

(b) Not have been convicted of any violation of venomous reptile or reptile of concern or captive wildlife regulations involving unsafe housing of wildlife or that could potentially endanger the public; any violation involving the illegal commercialization of wildlife; any violation involving cruelty to animals; or any violation involving importation of wildlife within three (3) years of the date of application.

(c) Shall specify the location of the facility at which the venomous reptiles or reptiles of concern shall be maintained. Facilities for venomous reptiles shall be inspected and approved by Commission personnel prior to the issuance of the permit and placement of animals at the facility location.

(3) Experience requirements: Applicants for authorization to possess venomous reptiles or reptiles of concern shall meet the following experience requirements.

(a) Venomous reptiles: Any person or entity not currently permitted to possess or exhibit venomous reptiles must qualify for a permit by meeting the following criteria:

1. Applicants shall demonstrate no less than one (1) year of substantial practical experience (to consist of no less than 1,000 hours) in the care, feeding, handling and husbandry of the species or other species within the same biological family which are similar in characteristics and care to the species for which the permit is sought. For the purposes of demonstrating compliance, applicants shall submit documentation of such experience including:

a. A description of the specific experience acquired.
b. The dates the experience was obtained and the specific location(s) where acquired.
c. References of no less than two (2) individuals, no more than one of which may be a relative of the applicant, having personal knowledge of the applicant's stated experience. One of these references must be licensed by the commission for venomous reptiles of the same family for which the applicant is seeking authorization or a representative of a professional organization or governmental institution. Examples of such organizations or institutions include, but are not limited to, universities, public service agencies, zoological associations, herpetological societies and veterinarians.

d. Additional documentation may include records of prior permits for the keeping of venomous reptiles, employment records, and any other competent documentation of the requisite experience.

2. If the applicant is unable to document such experience, as an alternative the applicant may take a written examination. The successful completion of a written examination for the particular species or family, administered by the Division of Law Enforcement, together with the documentation of not less than 500 hours of substantial practical experience in the care, feeding, handling and husbandry of the species or family for which the permit is sought may be substituted for the one year/1,000-hour requirement. Applicants scoring at least 80 percent correct on the examination shall be deemed as meeting the examination requirement for the particular species or family.

3. Providing false information to document the applicant's experience, by the applicant or any reference, is prohibited as provided in Sections 837.012 and 837.06, F.S.

4. Any licensed corporation authorized to do business in Florida may apply for a permit or other authorization to possess venomous reptiles. Such corporation must have qualified personnel responsible for the care of such venomous reptiles. The corporation must provide documentation of experience for at least one person. Such person shall comply with the requirements defined in paragraphs 68A-6.007(2)(a)-(b) and subparagraphs (3)(a)1.-3., F.A.C., above. Such documentation of experience shall be submitted to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, and subject to approval upon initial application and upon each instance of change in qualified personnel.

(b) Reptiles of concern: On or after January 1, 2008, any person or entity not currently permitted to possess reptiles of concern must qualify for a permit by including with the application a satisfactorily completed questionnaire developed by the Commission that assesses the applicant's knowledge of general husbandry, nutritional, and behavioral characteristic of the reptile of concern to be possessed.

(4) Facility requirements: All persons licensed to keep, possess, or exhibit venomous reptiles or reptiles of concern shall provide safe, secure and proper housing for said reptiles in cases, cages, pits or enclosures. It shall be unlawful for any person whether licensed or not to keep, possess, or exhibit any venomous reptile or reptile of concern in any manner not approved as safe, secure and proper by the Florida Fish and Wildlife Conservation Commission. Venomous reptiles or reptiles of concern shall be kept in cages, cases, pits or enclosures of the following specifications:

(a) Cage may be constructed of a variety of materials including: plate glass of at least one-quarter inch thickness, break-resistant plastic of similar strength, concrete reinforced

with wire, sheet metal, molded fiberglass, plywood or interlocking lumber that has been treated to be impervious to moisture and is not less than one-half inch in thickness, or other materials which provide equivalent stability and security against escape and unauthorized intrusion. Cages and doors to cages shall be sealed. The doors of each cage shall be securely locked by a device operated by a key, combination, key card or other locking device approved by the commission to prevent unauthorized intrusion.

(b) A room or out building may contain venomous reptiles or reptiles of concern in cages that are not locked provided that such a room or out building is locked by a device operated by a key, combination, key card or other locking device approved by the Commission to prevent unauthorized intrusion, is inaccessible to unauthorized personnel, is constructed and maintained as to be escape-proof, and has been inspected and approved as conforming to these rules by Commission personnel prior to use. Any out building so used must be of strong construction with concrete or other suitable flooring and securely anchored to the ground. Such building shall be clearly posted at point of entry with a sign stating "Danger – Venomous Reptiles" or in the instance of nonvenomous reptiles of concern a sign stating "Danger – Dangerous Reptiles."

(c) Outdoor open-topped enclosures:

1. For venomous reptiles native to the United States, the floors of outdoor cages shall be of concrete or masonry construction at least two inches in thickness. Sides shall be of similar construction, at least eight inches in thickness, or strength equivalent, with a minimum height of four feet above the floor of the enclosure. Outdoor enclosures need not have concrete or masonry flooring if the enclosure meets the following additional specifications:

a. The enclosure shall have concrete or masonry walls, at least eight inches in thickness, or strength equivalent.

b. The enclosure shall have footers made of concrete, or strength equivalent, extending not less than three feet below the grade level, outside the perimeter.

c. The corners of enclosure shall be designed or guarded to prevent the escape of reptiles by climbing.

d. All landscaping of the enclosure shall be arranged to insure that vegetation or other structures do not allow for the escape of reptiles.

2. Entrance doors shall be kept securely locked on all outdoor enclosures to prevent escape and unauthorized intrusion and the enclosure shall be equipped with barriers to prevent visitors from falling into enclosures that are constructed below ground level.

3. For venomous reptile species and reptiles of concern not native to the United States, all outdoor enclosures shall be topped with close-meshed wire or an equivalent barrier to provide additional security.

4. Enclosures shall meet the minimum standard caging size requirements as specified in Rule 68A-6.004, F.A.C.

(5) Facilities housing venomous reptiles shall maintain bite or exposure protocols for the species of venomous reptiles possessed and have a visible cage enclosure identification system identifying the venomous reptiles housed or maintained on the premises.

(a) Bite or Exposure Protocol: Facilities or premises where venomous reptiles are housed or maintained shall have posted on the premises a venomous reptile bite protocol.

Such protocol shall include: identification of the species by common and scientific name, emergency contact information, type of antivenin required for treatment of bites or exposures from the species housed or maintained, a plan of action to be taken in the event of a bite or exposure, and location of antivenin if stored on premises. In lieu of antivenin on premises contact information shall be provided for an antivenin bank or medical facility that maintains antivenin for the species possessed. Such protocol shall be clearly visible and posted in the room, building or other structure and in close proximity to where venomous reptiles are housed or maintained.

(b) Cage Enclosure Identification System: Each cage or enclosure housing venomous reptiles shall be clearly marked with a card or sign clearly stating "Danger Venomous Reptile" and identifying the species contained therein by common and scientific name. Such card or sign shall be clearly visible. A card or sign shall accompany the venomous reptile when it is removed from the cage or enclosure for handling or transport purposes.

(c) Facilities with one or more licensee at the same facility location may not commingle their respective live venomous reptile or reptile of concern inventories. All cages or enclosures must be clearly identified or visibly marked with the name of the licensee or other identifier to facilitate inventory inspections.

(6) Inspection: Venomous reptiles or reptiles of concern held in captivity are subject to inspection by commission personnel. Commission personnel shall determine whether the said reptiles are securely, properly and safely housed. In the event that the reptiles are not safely housed, commission personnel shall report the situation in writing to the person possessing or exhibiting such reptiles. Failure of the possessor or exhibitor to correct the situation within 30 days after such written notice shall be grounds for revocation of the license or permit.

(7) No person except the licensee or his or her authorized employee shall open any cage, pit, or other container which contains venomous reptiles.

(8) Transporting: Any person transporting venomous reptiles shall comply with Section 379.372, F.S., and the provisions of this rule. Venomous reptiles shall be placed in a stout closely woven cloth sack, tied or otherwise secured. In lieu of a stout closely woven cloth sack, the venomous reptile may be contained in a trap or box of solid construction which is locked or otherwise secured. The sack, trap or box shall then be placed in a box. The box shall be of strong material in solid sheets, except for small air holes which shall be screened. Boxes containing venomous reptiles shall be prominently labeled "Danger – Venomous Reptiles."

(9) Disaster and Critical Incident Plans: Applicants for permits to possess venomous reptiles or reptiles of concern in captivity shall document in writing a course of action to be taken in preparation for disasters or critical incidents. Such course of action shall be documented on the Captive Wildlife Critical Incident/Disaster Plan form FWCDLE_619 (06/09), which is adopted and incorporated herein by reference. Forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or at www.myfwc.com/permits. This form shall consist of two parts. Part A of form FWCDLE_619 shall be submitted at the time of initial application or renewal; and Part B shall be retained on file at the facility location and be made available for inspection upon request of Commission personnel.

(a) Provisions of this subsection shall apply to permittees maintaining venomous reptiles or reptiles of concern in Florida.

(b) For permittees where the facility is located out of state, the provisions of this subsection shall apply when such permittee is in travel status with venomous reptiles or reptiles of concern. In this instance Part B must accompany the venomous reptile or reptile of concern while in travel status in Florida and shall describe the course of action to be taken in the event of a critical incident or natural disaster in Florida.

68A-6.0071 Record Keeping and Reporting Requirements.

Any person who possesses any live venomous reptile or reptile of concern shall have a permit issued in accordance with Section 379.372, and if applicable Section 379.3761, F.S., and comply with Section 379.304, F.S., and the provisions of this rule, Rule 68A-6.007, F.A.C., and, if applicable, Rule 68A-6.0072, F.A.C.

(1) Record Keeping:

Possessors shall maintain an accurate record of all changes in inventory including births, deaths, acquisitions, sales and transfers of all venomous reptiles or reptiles of concern. Such records shall be kept on the licensed premises on a Captive Wildlife Inventory-Reptile form, FWCDLE_620IV-R (06/09), which is adopted and incorporated herein by reference. Forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or at www.myfwc.com/permits. Such records shall be open to inspection upon request by commission personnel.

(a) Records of births or deaths shall include the date of the birth or death; and the quantity and species of each birth or death. For the purposes of this section “birth” shall be defined as the initial hatch or live birth date for the clutch.

(b) Records of acquisition shall include the date of acquisition; quantity and species of reptiles acquired; method of identification and unique passive integrated transponder (PIT tag) number, if applicable, for each specimen; name and complete address of supplier; and license identification number of supplier where applicable.

(c) Records of sale or transfer shall include the date of sale or transfer; quantity and species of reptiles sold or transferred; method of identification and unique passive integrated transponder (PIT tag) number, if applicable, of each specimen sold or transferred; and the license identification number of the recipient where applicable.

(2) Reporting:

(a) Persons exhibiting or selling live venomous reptiles or reptiles of concern in accordance with Section 379.372 or 379.3761, F.S., shall complete a Captive Wildlife Inventory-Reptile form, FWCDLE_620IV-R (06/09), and submit same to Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, upon annual renewal of license and six months thereafter.

(b) Persons possessing any live venomous reptile or reptile of concern in accordance with Section 379.372, F.S., for personal use shall complete a Captive Wildlife Inventory-Reptile form, FWCDLE_620IV-R (06/09), and submit same to Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street,

Tallahassee, Florida 32399-1600, upon annual renewal of license and upon any instance of inventory change.

(c) Persons operating in accordance with Rule 68A-6.0011, F.A.C., are exempt from these reporting requirements.

68A-6.0072 Identification of Non-Native Venomous Reptiles and Reptiles of Concern; Escape.

(1) Any person who keeps or possesses for personal use any live venomous reptile not indigenous to Florida or any live reptile of concern, in accordance with Section 379.372 and 379.373, F.S., or any live reptile of concern, in accordance with Section 379.303 and 379.3762, F.S., must permanently identify such reptile.

(a) Live venomous reptiles not indigenous to Florida shall be permanently identified by photographic identification or with a unique passive integrated transponder (PIT tag).

(b) Live reptiles of concern shall be permanently identified with a unique passive integrated transponder (PIT tag).

(c) Records of identification including PIT tag number where applicable, along with information about the specimen being identified (species, specimen name or number, gender, and age) must be maintained in the possessors records for as long as the specimen is possessed.

(2) For photographic identification the photograph of the specimen must include sufficient distinguishing characteristics (marks, scars, and patterns, etc.) to enable that particular specimen to be distinguished from other specimens of the same species.

(3) Passive integrated transponder (PIT tag) identification shall consist of the implantation of a unique PIT tag under the specimen's skin in a manner to maintain the PIT tag permanently in place.

(a) For snakes implantation shall be in specimens with a two (2) inch or greater diameter. The PIT tag shall be implanted in the back one-third (1/3) of the snake, forward of the anal plate.

(b) For lizards implantation shall be in the body cavity in close proximity to and forward of a rear leg or in a rear leg.

(c) The requirement pertaining to the location of the PIT tag implantation shall not apply to specimens implanted prior to acquisition of the animal or prior to the effective date of this rule.

(4) Any person authorized to possess any venomous reptile not indigenous to Florida or reptile of concern must report any escapes to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement immediately upon discovery of escape.

(5) Effective Date: All permanent identification requirements in this rule shall not take effect until July 1, 2008, for any live venomous reptile not indigenous to Florida or any reptile of concern possessed prior to January 1, 2008.

68-5 Rules Relating to Non-Native Species

<https://www.flrules.org/gateway/chapterhome.asp?chapter=68-5>

68-5.001 Introduction of Non-native Species into the State.

(1) No person shall transport into the state, introduce, or possess, for any purpose that might reasonably be expected to result in liberation into the state, any freshwater fish, aquatic invertebrate, marine plant, marine animal, or wild animal life not native to the state, without having secured a permit from the Commission, except:

- (a) Fathead minnow (*Pimephales promelas*).
- (b) Variable platy (*Xiphophorus variatus*).
- (c) Coturnix quail (*Coturnix coturnix*).
- (d) Ring-necked pheasant (*Phasianus colchicus*).

(2) Conditional Non-native Species – The species or hybrids or eggs thereof listed in Rule 68-5.002, F.A.C., may be possessed only pursuant to permit issued by the Executive Director, with the following restrictions:

(a) Such permits will be issued only to individuals or institutions engaged in research, or to commercial import or export businesses, public aquaria, public zoological parks, or public exhibitors providing educational exhibits. Permits shall not be issued for display of these species in private aquaria, private zoological parks, or for personal possession.

(b) Prior to the issuance of a permit to possess conditional non-native species, facilities where conditional species are to be kept and waters where their use is intended may be inspected by Commission personnel to assure that adequate safeguards exist to prevent escape or accidental release into the waters of the state.

(c) Permits for conditional freshwater fish and aquatic invertebrate species may be issued by the Commission subject to the following:

1. Conditional freshwater fish and aquatic invertebrate species held outdoors may only be held in a water body that has the lowest point of the top edge of its levee, dike, bank, or tank at an elevation of at least one foot above the 100-year flood elevation determined by reference to elevation maps issued by the National Flood Insurance Program, U.S. Department of Housing and Urban Development. Such water body shall have no water discharge or shall be constructed with a barrier system designed to prevent escape of adults, juveniles, and eggs in the water effluent discharged from the permittee's property. Public visitation at facilities in possession of conditional non-native species shall occur only under supervision of the permittee or his/her designee.

2. Conditional freshwater fish and aquatic invertebrate species held indoors may only be held in culture systems having no water discharge, having a water discharge through a closed drain system, or other system designed to prevent discharge of water containing adults, juveniles and eggs from the permittee's property.

3. Any person engaged in aquaculture who possesses a valid certificate of registration from the Department of Agriculture and Consumer Services issued pursuant to Chapter 597, F.S., and who is authorized to possess such species in accordance with Chapter 597, F.S., is not required to obtain the permit.

4. Conditional aquatic turtle species:

a. Outdoor facilities must have a permanent containment barrier secured at least six inches below ground level to prevent escape by digging or erosion. Such barriers may be constructed of solid board, or metal or plank fencing, and may not use mesh material.

b. All eggs must be removed daily from outdoor facilities.

(3) Prohibited Non-native Species – No person shall import into the state, sell, possess, or transport any live specimens of the species or hybrids or eggs thereof listed in Rule 68-5.003, F.A.C., except as provided in paragraphs (a) and (b) below:

(a) Public aquaria, zoological parks, or public exhibitors with current accreditation by the American Zoo and Aquarium Association or the American Association of Museums will be granted a permit.

(b) Individuals or institutions engaged in research will be granted such a permit, provided the following requirements are met:

1. A detailed research proposal shall accompany the application for the research permit. The proposal shall state with particularity research objectives, methodology and study duration, and outline planned safeguards to assure proper containment of the species.

2. All research on prohibited aquatic species shall be conducted in indoor facilities in containers having no water discharge or having a water discharge through a closed drain system that terminates in a dry-bed wastewater pond.

3. All research on prohibited terrestrial wildlife species shall be conducted in indoor facilities in cages or other confinement facilities to prevent escape.

4. The research permit shall expire 12 months from the date of issuance and shall not be renewed until a detailed report of research findings is received and approved by the Commission. The report shall include a description of activities undertaken in the permit period, progress toward research project objectives, and proposed additional activities to be undertaken during any renewal period. Such reports are public records subject to the requirements for public disclosure under Chapter 119, F.S.

(4) No permits shall be granted for possession of any species of piranha or pirambeba (subfamily Serrasalminae).

(5) Possession of sea snakes (Family Hydrophiidae, all species) is limited to public aquaria, public zoological parks, or public exhibitors with current accreditation by the American Zoo and Aquarium Association or the American Association of Museums, providing educational exhibits, for public exhibition purposes only, under the following conditions:

(a) Only male sea snakes may be possessed.

(b) A public aquarium, zoological park, or public exhibitor possessing sea snakes shall not be located in a coastal county and shall have no contiguous connection with any waters of the state.

(c) Each public aquarium, public zoological park, or public exhibitor possessing sea snakes shall provide quarterly reports to the Commission regarding the number of each species of sea snakes on the premises and any changes in inventory resulting from death or additions by importation.

(d) Sea snakes shall not be released into the waters of the state.

(e) Each public aquarium, zoological park, or public exhibitor possessing sea snakes shall post with the Commission a \$1 million letter of credit. The letter of credit shall be in favor of the State of Florida, Fish and Wildlife Conservation Commission, for use by the Commission to remove any sea snake accidentally or intentionally introduced into waters of the state. The letter of credit shall be written in the form determined by the Commission. The letter of credit shall provide that the zoological park or aquarium is

responsible for the sea snakes within that facility and shall be in effect at all times that the zoological park or aquarium possesses sea snakes.

(f) No person or public aquarium, public zoological park, or public exhibitor shall barter, sell, or trade sea snakes within this state.

(g) A public aquarium, public zoological park, or public exhibitor that imports sea snakes pursuant to this subsection may bring the sea snakes into this state only by airplane that may land only at an airport located in a non-coastal county within this state.

(h) A public aquarium, public zoological park, or public exhibitor possessing sea snakes pursuant to this subsection shall abide by all regulatory requirements of the Fish and Wildlife Conservation Commission with respect to venomous reptiles.

(6) No leopard tortoise (*Geochelone pardalis*), African spurred tortoise (*Geochelone sulcata*), or Bell's hingeback tortoise (*Kinixys belliana*) shall be imported or transported into this state, without a special permit issued by the Commission. The basis for the issuance of such permit shall include:

(a) That each shipment is accompanied by a veterinary certificate stating that all specimens are free from external parasites;

(b) That all shipping containers used to transport such tortoises are incinerated within 24 hours;

(c) Such other conditions as may be necessary to ensure that no tortoise infested with ticks capable of transmitting the Heartwater disease is imported into Florida.

(7) No person shall allow or permit any freshwater aquatic organism not native to the state to remain in the waters of any propagating pool or pond that is no longer maintained or operated for the production of such non-native species. The presence of any species designated in Rule 68-5.002 or 68-5.003, F.A.C., in any propagating pool or pond shall constitute possession by the owner or operator of the pool or pond.

(8) Unless otherwise specifically provided in Titles 68A through 68E, F.A.C., all species of freshwater aquatic life and wild animal life not native to Florida may be taken throughout the year, without restrictions.

68-5.002 Conditional Non-native Species.

Live specimens of the following species, including their taxonomic successors, subspecies, or hybrids or eggs thereof may be possessed only pursuant to permit issued by the Executive Director except as provided in subsection 68-5.001(2), F.A.C.

(1) Non-native freshwater aquatic species.

(a) Bighead carp (*Aristichthys nobilis*).

(b) Bony-tongue fishes (Family Arapaimidae).

1. Arapaima (*Arapaima gigas*).

2. Heterotis (*Heterotis niloticus*).

(c) Dorados (Genus *Salminus*, all species).

(d) Freshwater stingrays (Family Potamotrygonidae, all species).

(e) Grass carp (*Ctenopharyngodon idella*), with restrictions as provided in Rule 68A-23.088, F.A.C.

(f) Silver carp (*Hypophthalmichthys molitrix*).

(g) Snail or black carp (*Mylopharyngodon piceus*).

(h) Nile perches (Genus *Lates*, all species). For owners of aquaculture facilities that are operating under permit or a certificate of registration, but which are not cultivating Nile perches as of April 11, 2007, and for owners of aquaculture facilities which are issued original permits or certificates of registration after April 11, 2007, Nile perches:

1. Shall be held only in indoor facilities.
2. Shall not be taken on a fee or for-hire basis using hook and line or rod and reel.

(i) Blue tilapia (*Oreochromis aureus*), except that *Oreochromis aureus* may be possessed, cultured, and transported without permit in Citrus County in the North Central Region; and all counties of the Northeast, South and Southwest Regions.

(j) Wami tilapia (*Oreochromis urolepis*).

(k) Mozambique tilapia (*Oreochromis mossambicus*)

(l) Nile tilapia (*Oreochromis niloticus*)

(m) Walking catfish (*Clarias batrachus*)

(n) Blue catfish (*Ictalurus furcatus*), except that blue catfish may be possessed in the Suwannee River and its tributaries and north and west of the Suwannee River.

(o) Australian red claw crayfish (*Cherax quadricarinatus*) only in closed tank culture systems.

(p) Red swamp crayfish (*Procambarus clarkii*) and white river crayfish (*Procambarus zonangulus*)

1. Pond aquaculture of either species is prohibited.

2. Red swamp crayfish and white river crayfish may be possessed west of the Apalachicola River and its tributaries or imported for direct sale to food wholesalers and food retailers for resale to consumers without permit.

(q) Red-eared slider (*Trachemys scripta elegans*):

1. Red-eared sliders in personal possession prior to July 1, 2007 may continue in the possession of the owner.

2. Red-eared sliders less than four inches carapace length may not be possessed after July 1, 2008 without a permit.

3. Red-eared sliders with distinctive aberrant color patterns, including albino or amelanistic specimens, may be possessed without a permit otherwise required by this rule.

(r) Arowanas (Family Osteoglossidae, all species except silver arowana, *Osteoglossum bicirrhosum*)

(s) Northern largemouth bass (*Micropterus salmoides salmoides*), except that intergrade largemouth bass (northern largemouth bass x Florida largemouth bass *Micropterus salmoides floridanus*) may be possessed in the Suwannee River and its tributaries and north and west of the Suwannee River.

(2) Non-native mammals – Nutria (*Myocaster coypu*).

68-5.003 Prohibited Non-native Species.

Live specimens of the following species, including their taxonomic successors, subspecies, or hybrids or eggs thereof may be possessed only pursuant to permit issued by the Executive Director except as provided in subsection 68-5.001(3), F.A.C.

(1) Non-native freshwater aquatic species:

(a) African electric catfishes (Family Malapteruridae, all species).

- (b) African tigerfishes (Genus *Hydrocynus*, all species).
- (c) Airbreathing catfishes (Family Clariidae, all species except *Clarias batrachus*).
- (d) Candiru catfishes (Family Trichomycteridae, all species).
- (e) Freshwater electric eels (*Electrophorus electricus*).
- (f) Lampreys (Family Petromyzontidae, all species).
- (g) All species of piranha and pirambeba (subfamily Serrasalminae).
- (h) Snakeheads (Family Channidae, all species).
- (i) Tilapias (Genera *Tilapia*, *Sarotherodon*, *Alcolapia* and *Oreochromis*, all species except *Oreochromis aureus*, *Oreochromis urolepsis*, *Oreochromis mossambicus*, and *Oreochromis niloticus*).
- (j) Trahiras or Tigerfishes (Family Erythrinidae, all species).
- (k) Airsac catfishes (Family Heteropneustidae, all species).
- (l) Green sunfish (*Lepomis cyanellus*).
- (m) Australian crayfish (Genus *Cherax*, all species except *Cherax quadricarinatus* cultured in a closed tank system).
- (n) Zebra mussel (*Dreissena polymorpha*).
- (o) Quagga mussel (*Dreissena bugensis*).
- (2) Non-native mammals – African giant pouched rats (Genus *Cricetomys*, all species).
- (3) Non-native marine species:
 - (a) Mitten crab (Genus *Eriocheir*, all species).
 - (b) Sea snakes (Family Hydrophiidae, all species), except that sea snakes may be possessed as described in subsection 68-5.001(5), F.A.C.
 - (c) Weeverfishes (Family Trachinidae, all species).
 - (d) Stone fishes (Genus *Synanceia*, all species).
 - (e) Genus *Synanceia*, all species.
 - (f) Pitted stonefish (*Erosa erosa*).
 - (g) Red rock cod (*Scorpaena papillosa*).
 - (h) Stonefish (*Leptosynanceia asteroblepa*).
 - (i) Stargazing stonefish (*Trachicephalus uranoscopus*).

68-5.004 Amnesty for Persons Relinquishing Non-native Pets.

It is the policy of the Fish and Wildlife Conservation Commission to encourage persons possessing unwanted non-native fish or wildlife as pets to relinquish such pets to qualified adopters as an alternative to releasing them into Florida's environment. In furtherance of this policy, the Commission will sponsor amnesty events for such purpose.

(1) Persons adopting nonnative species through an FWC sponsored amnesty event may accept non-native fish or wildlife from persons who have not obtained a permit from the Commission for possession of such fish or wildlife.

(2) State and county wildlife control agencies may accept non-native fish and wildlife from persons who have not obtained a permit from the Commission for possession of such fish or wildlife.

(3) Any person relinquishing or adopting non-native fish or wildlife pursuant to this rule is hereby deemed not to be in violation of the permit requirement of subsection 68A-6.0021(2), F.A.C.

Florida Statutes:

379.231 Regulation of foreign animals.--

(1) It is unlawful to import for sale or use, or to release within this state, any species of the animal kingdom not indigenous to Florida without having obtained a permit to do so from the Fish and Wildlife Conservation Commission.

(2) The Fish and Wildlife Conservation Commission is authorized to issue or deny such a permit upon the completion of studies of the species made by it to determine any detrimental effect the species might have on the ecology of the state.

(3) A person in violation of this section commits a Level Three violation under s.

[379.401.](#)

379.372 Capturing, keeping, possessing, transporting, or exhibiting venomous reptiles or reptiles of concern; license required.--

(1) No person, firm, or corporation shall capture, keep, possess, or exhibit any poisonous or venomous reptile or reptile of concern without first having obtained a special permit or license therefor from the Fish and Wildlife Conservation Commission as provided in this section.

(2) By December 31, 2007, the commission shall establish a list of reptiles of concern, including venomous, nonvenomous, native, nonnative, or other reptiles, which require additional regulation for capture, possession, transportation, or exhibition due to their nature, habits, status, or potential to negatively impact the environment, ecology, or humans.

(3) It shall be unlawful for any person, firm, or corporation, whether licensed hereunder or not, to capture, keep, possess, or exhibit any venomous reptile or reptile of concern in any manner not approved as safe, secure, and proper by the commission. Venomous reptiles or reptiles of concern held in captivity are subject to inspection by the commission. The commission shall determine whether the reptiles are securely, safely, and properly penned. In the event that the reptiles are not safely penned, the commission shall report the situation in writing to the person, firm, or corporation owning the reptiles. Failure of the person, firm, or corporation to correct the situation within 30 days after such written notice shall be grounds for revocation of the license or permit of the person, firm, or corporation.

(4) Venomous reptiles or reptiles of concern shall be transported in a safe, secure, and proper manner. The commission shall establish by rule the requirements for the transportation of venomous reptiles or reptiles of concern.

Idaho:

- Venomous reptiles may be possessed but must be housed in locked, glass, or double-screened cages to prevent penetration of fangs to the outside.

Regs:

- IMPORTATION OR POSSESSION OF DELETERIOUS EXOTIC ANIMALS; Title 25, Chapter 39 (<http://www.legislature.idaho.gov/idstat/Title25/T25CH39.htm>)
- See also <http://www.legislature.idaho.gov/idstat/Title36/T36CH7SECT36-709.htm>

Illinois:

- No person may possess live venomous reptiles.

- A confiscated venomous reptile is usually destroyed; occasionally, it is housed at one of the DNR properties by an employee who has expertise in caring for venomous reptiles until it can be transferred to a licensed facility in another state. The primary factors in determining the disposition of confiscated animals is the ability for DNR staff to house and transport the animal.

Regs:

- See Title 17: Conservation (<http://dnr.state.il.us/LEGAL/ADOPTED/1070.pdf>)

Indiana:

- According to 312 IAC 9-5-8: A wild animal possession permit is required to possess a venomous reptile (native or non-native) and there are specific housing requirements. There are exemptions from this permit requirement for research facilities registered with the USDA. No venomous snake can be sold, bartered, or traded in Indiana.

Regs:

- See <http://www.in.gov/legislative/iac/T03120/A00090.PDF>

Kentucky:

- It is illegal to import/transport without permit* or possess/propagate alligators, caimans, crocodiles, gavials, gila monsters, beaded lizards, adders or vipers (except native species), cobras, mambas, coral snakes, sea snakes, and venomous rear-fanged members of the Colubridae family (except hog-nose snakes).
- *A person may apply for a transportation permit to temporarily transport or possess a prohibited animal listed in this section if the animal is within the state for less than ninety-six (96) hours. Transportation permits shall not be issued for consecutive ninety-six (96) hour periods.

Regs:

- KRS 150.280 Propagation and holding of protected wildlife:
<http://www.lrc.ky.gov/KRS/150-00/280.PDF>
- 301 KAR 2:082 Transportation and holding of exotic wildlife:
<http://www.lrc.state.ky.us/kar/301/002/082.htm>

Louisiana:

- Part XV Reptiles and Amphibians Chapter 1 Section 101 Subsection K: Louisiana has regulations addressing the importation and/or private possession of venomous snakes within the state.
- See also "Notes" at the top of this document.

Regs: <http://www.legis.state.la.us/>

Massachusetts:

- Non-native and native species that may be kept without a permit, and sold in a pet store, are identified in a regulation referred to as the Exemption List (321 CMR 9.01). Species that do not require a permit to possess are referred to as

“exempt”, which means that they are exempt from the permitting requirements found in

- regulation (321 CMR 2.12 and 321 CMR 9.01). Species that do require a permit to possess are “non-exempt”.
- All venomous snakes require a permit. The following snakes may be kept without a permit:
 - o All species of boas and pythons (family *Boidae*), except those species categorically non-exempt pursuant to 321 CMR 9.01(3), and except the Emerald Tree Boa (*Corallus caninus*), Green Tree Python (*Chondropython* spp.), African Rock Python (*Python sebae*), Reticulated Python (*Python reticulatus*) and all species of Anaconda (*Eunectes* spp.), which require a permit.
 - o Additional snakes are also excepted

Regs:

- See 321 CMR 9.01 (10) (b)
http://www.mass.gov/dfwele/dfw/regulations/cmr/cmr_900.htm

Missouri:

- To exhibit, propagate, or hold in captivity copperheads, cottonmouths, or timber, pygmy, or Massasauga rattlesnakes a Class II Wildlife Breeder Permit is required. Animals allowed to be confined under these permits are listed in 3 CSR 10-9.105. Limits and provisions are stated in CSR 10-9.110. Wildlife held under a wildlife collector’s permit for scientific or other special purpose may be propagated but shall not be sold or exhibited commercially. When holding live specimens, permit holders are required to adhere to wildlife confinement standards set forth in the Wildlife Code of Missouri, 3 CSR 10-9.220.

Regs:

- See wildlife regulations at <http://www.sos.mo.gov/adrules/csr/current/3csr/3c10-4.pdf>
- See confinement standards at <http://www.sos.mo.gov/adrules/csr/current/3csr/3c10-9.pdf>

New York:

- Exotic amphibians and reptiles are the real problem for us when it comes to disposition. Euthanizing is an option here, but with hesitation. Finding a legal home for large constrictors and venomous snakes is a significant problem for us. In many cases we seize the animals in place and direct the owners to find a legal disposition for them if they (the owners) do not meet the criteria for getting a permit to legally keep the animal.

North Carolina:

- A recent policy regarding the disposition of confiscated amphibian or reptile specimens states that all State and Federal listed species should be transported to an appropriate holding facility. For confiscated venomous snakes, a transfer to the North Carolina Museum of Natural Science may be arranged.

- The intentional exposure of human beings to contact with reptiles of a venomous nature is a criminal offense (GS 14-416 thru 14-422 Article 55). This article shall not apply to the possession, exhibition, or handling of reptiles by employees or agents of duly constituted museums, laboratories, educational or scientific institutions in the course of their educational or scientific work.
- No reptiles are allowed in child care centers (15A NCAC 18A .2831).

Pennsylvania:

- A Resident or Non-resident Venomous Snake permit is required for timber rattlesnakes or copperheads.
- Persons issued a Venomous Snake Permit are required to submit a report indicating whether he or she hunted and did not observe or capture rattlesnakes or copperheads, did not hunt, or hunted, observed and captured rattlesnakes and/or copperheads.
- Only a limited list of native species is allowed to be artificially propagated and sold. All species non-native to Pennsylvania, except for species specifically excluded from possession, transportation, importation, and introduction by Pennsylvania Fish and Boat Regulations, are approved for the closed system propagation and live dealer registration list.

Regs:

- See 58 Pa. Code Sect. 79.8(d)
<http://www.pacode.com/secure/data/058/chapter79/chap79toc.html>

Part 2. This table is copied from the document, "FWS-R9-FHC-2008-0015-1279.1.pdf", the 2008 response provided by PIJAC, available in the Docket file for Docket No. FWS-R9-FHC-2008-0015.

Table 1. State Regulations for Pythons, Boas, and Eunectes (as well as other large constrictors)

State	Code/Regulation	Species	Summary
Florida	68A-6.007	<i>Python molurus</i> <i>Python reticulatus</i> <i>Python sebae</i> <i>Morelia amethystinus</i> <i>Eunectes murinus</i>	<p>Possession, Transportation, Exhibition and Caging Venomous reptiles and Reptiles of Concern</p> <p>Any person who possesses, keeps, exhibits or sells a reptile of concern must obtain an annual permit and comply with</p> <p>Person must be at least 18 years of age, no prior violations of captive wildlife regulations, illegal commercialization of wildlife, animal cruelty, or violation of importation rules</p> <p>To qualify for a permit, must demonstrate knowledge of husbandry, nutritional, and behavioral characteristic of species</p> <p>Comply with facility standards to ensure “safe, secure and proper housing”</p> <p>Document Disaster and Critical Incident Plans (Form FWCDLE_619(02-06)</p>
	68A-6.004		<p>Standard Caging Requirements for Constrictors – subpart (q) covers constrictors up to 5 feet, specimens 5 feet to 12 feet, specimens greater than 12 feet</p>
	68A-6.0071		<p>Record Keeping and reporting Requirements</p> <p>Inventory changes including births, deaths, acquisitions, sales and transfers on FormFWCDLE_620IV-R (12-06)</p>

	68A-6.0072		<p>Acquisition records include species, date, quantity, PIT tag data for each specimen and license identification number of recipient</p> <p>Identification; Escape Permanently identified with unique passive integrated transponder (PIT tag). Records (including species, specimen name, gender, age, ID number) must be maintained as long as specimen maintained For snakes with greater than 2 inch diameter, PIT tag implanted back 1/3 of same forward of anal plate. Notification of escape required</p>
Hawaii	HRS 150A-6.5 HI ADC Sec. 4-7-6, 4-7-10	All Squamata (snakes)	Importation/possession prohibited
Illinois	720 ILCS 585/1 8 ILAC 8:25.110	<i>Python spp.</i> <i>Boa spp.</i> <i>Eunectes spp.</i>	Permit required for “any constrictor snake six feet or over in length, such as boa, python, and anaconda.”
Iowa	Iowa Admin. Code 21-77.1 22-77.7	<i>Python reticulatus</i> <i>Eunectes spp.</i> <i>Python sebae</i>	Classified as “dangerous wild animal” and possession prohibited. Permits (\$100) allowed for specimens possessed prior to July 1, 2007 subject to detailed criteria, including an “electronic identification device, record-keeping, and disposition.
Louisiana	76 La. Admin. Code	<i>Apodora papuana</i>	Importation and/or private possession of constrictors in excess

	Pt. XV. Sec 101.K	<i>Liasis olivacea</i> (= <i>olivaceus</i>) <i>Morelia spilota</i> <i>Morelia kinghorni</i> <i>Morelia amethystinus</i> <i>Python natalensis</i> <i>Python sebae</i> <i>Python molurus</i> <i>Python reticulatus</i> <i>Boa spp.</i> <i>Eunectes spp.</i>	of 12 feet by a permit issued by the Department of Wildlife and Fisheries.
Massachusetts	321 CMR 9.01	<i>Python sebae</i> <i>Python reticulatus</i> <i>Eunectes spp.</i>	Permit required.
Missouri	Title 38, Crimes and Punishment Chapter 578.023		Keeper of dangerous wild animals must register animals with the local law enforcement agency in the county in which the animal is kept. Specifically refers to “dangerous reptile over eight feet long.”
Montana	MT ADC 12.6.2215 Mont.Admin.R. 12.6.2215	<i>Eunectes</i>	Permit required
New Jersey	NJ ADC 7:25-4.3	Family <i>Pythonidae</i> Family <i>Boaidae</i> (other than <i>Boa constrictors</i>)	Possession by permit provided applicant satisfies criteria within N.J.A.C. 7:25-4.7 (animal welfare, husbandry)
New York	Chapter 43-B Article 11-0103	<i>Python molurus bivittatus</i> <i>Python reticulatus</i>	Possession prohibited

		<i>Python sebae</i> <i>Eunectes murinus</i> <i>Eunectes notaeus</i> <i>Morelia amethystinus</i>	
Rhode Island	RI Code R12 020 030 Section 8.00	<i>Python reticulatus</i>	Import/Possession permit required. Permit criteria and conditions set forth in Section 3.00 – Section 5.00.
Texas	V.T.C.A. Parks & Wildlife Code Sec. 43.851 Texas Administrative Code Title 31 Part 2 Chapter 55.651 et seq	<i>Python sebae</i> <i>Python molurus</i> <i>Python reticulatus</i> <i>Python natalensis</i> <i>Eunectes murinus</i>	<p>A person may not possess, sell or transport through Texas a covered species without a permit (Note: a bill of lading functions as a temporary permit)</p> <ul style="list-style-type: none"> • Annual permit (permits provided for both possession (\$20) and commercial activities (\$60)) • Seller must notify purchaser at time of sale that <ul style="list-style-type: none"> ○ Sales receipt is temporary permit valid for 21 days ○ A controlled exotic snake permit must be obtained within 21 day timeframe ○ If convicted of violating requirements result in 5 year ban from obtaining a permit • Permit must be obtained for each permanent place where controlled species are sold or held for commercial purposes • Commercial permit holder must maintain daily records of all activities involving acceptance, possession or transfer of a controlled species