



General Assembly

Substitute Bill No. 6552

January Session, 2009

* _____ HB06552JUD _____ 042209 _____ *

AN ACT BANNING THE POSSESSION OF POTENTIALLY DANGEROUS ANIMALS AND THE IMPORTATION, POSSESSION AND LIBERATION OF WILD ANIMALS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) No person shall
2 operate, provide, sell, use or offer to operate, provide, sell or use any
3 computer software or service in this state that allows a person, when
4 not physically present, to remotely control a firearm or weapon to hunt
5 a live animal or bird.

6 (b) Any person who violates subsection (a) of this section shall be
7 guilty of a class A misdemeanor.

8 Sec. 2. Section 26-40a of the general statutes is repealed and the
9 following is substituted in lieu thereof (*Effective October 1, 2009*):

10 (a) No person shall possess a potentially dangerous animal. For the
11 purposes of this section, the following wildlife, or any hybrid thereof,
12 shall be considered [as] potentially dangerous animals:

13 (1) The felidae, including, but not limited to, the lion, leopard,
14 cheetah, jaguar, ocelot, jaguarundi cat, puma, lynx, [and] bobcat, [the]
15 tiger, serval, caracal, jungle cat and Savannah cat;

16 (2) The canidae, including, but not limited to, the wolf, [and] coyote

17 and fox; [and the]

18 (3) The ursidae, including, but not limited to, the black bear, grizzly
19 bear and brown bear;

20 (4) The hominidae, including, but not limited to, the gorilla,
21 chimpanzee and orangutan;

22 (5) The hylobatidae, including, but not limited to, the gibbon or
23 "lesser ape";

24 (6) The cercopithecidae, including, but not limited to, the baboon
25 and macaque;

26 (7) The macropodidae, including, but not limited to, the kangaroo
27 and wallaby;

28 (8) The mustelidae, including, but not limited to, the wolverine;

29 (9) The hyaenidae, including, but not limited to, the hyaena;

30 (10) The elephantidae, including, but not limited to, the
31 hippopotamidae, including the hippopotamus;

32 (11) The rhinocerotidae, including, but not limited to, the
33 rhinoceros;

34 (12) The suidae, including, but not limited to, the warthog;

35 (13) The alligatoridae, including, but not limited to, the alligator and
36 caiman;

37 (14) The crocodylidae, including, but not limited to, the crocodile;

38 (15) The gavialidae, including, but not limited to, the gavial;

39 (16) The elapidae, including, but not limited to, cobras, coral snakes
40 and mambas;

41 (17) The viperidae, including, but not limited to, copperheads,

42 rattlesnakes, cottonmouths and all other adders and vipers;

43 (18) The rear-fanged members of the colubridae in the genera
44 lothornis, boiga, thelotornis, thabdophis, enhydris, dispholidus, clelia,
45 rhabdophis, hydrodynastes, philodryas and malpolon;

46 (19) The Burmese/Indian, African Rock, amethystine and
47 reticulated of the pythonidae;

48 (20) The green, yellow and dark spotted anacondas of the boidae;

49 (21) The helodermatidae, including, but not limited to, Gila
50 monsters and beaded lizards; and

51 (22) The Nile monitor, water monitor, black-throat monitor, white-
52 throat monitor, crocodile monitor and komodo dragon of the
53 varanidae.

54 [No person shall possess a potentially dangerous animal.]

55 (b) Any such animal illegally possessed may be ordered seized and
56 may be relocated or disposed of as determined by the Commissioner of
57 Environmental Protection. The Department of Environmental
58 Protection shall issue a bill to the owner or person in illegal possession
59 of such potentially dangerous animal for all costs of seizure, care,
60 maintenance, [and] relocation or disposal of such animal. Additionally,
61 any person who violates any provision of this section shall be assessed
62 a civil penalty not to exceed [one] two thousand dollars, to be fixed by
63 the court, for each offense. Each violation shall be a separate and
64 distinct offense and in the case of a continuing violation, each day's
65 continuance thereof shall be deemed to be a separate and distinct
66 offense. The Commissioner of Environmental Protection may request
67 the Attorney General to institute an action in Superior Court to recover
68 such penalty and any amounts owed pursuant to a bill issued in
69 accordance with this section and for an order providing such equitable
70 and injunctive relief as the court deems appropriate.

71 (c) The provisions of this section shall not apply to municipal parks,

72 zoos [and] accredited by the Association of Zoos and Aquariums or the
73 Zoological Association of America, public nonprofit aquaria, nature
74 centers, [or] museums [,] or laboratories and research facilities
75 maintained by scientific or educational institutions [;] registered with
76 the United States Department of Agriculture or to a person possessing
77 a Bengal cat certified by an internationally recognized multiple-cat
78 domestic feline breeding association as being without wild parentage
79 for a minimum of four prior generations which cat was registered with
80 the Commissioner of Agriculture on or before October 1, 1996,
81 provided no such cat may be imported into this state after June 6, 1996,
82 [; or to persons possessing animals legally on or before May 23, 1983.]
83 In any action taken by any official of the state or any municipality to
84 control rabies, a Bengal cat shall be considered not vaccinated for
85 rabies in accordance with accepted veterinary practice.

86 (d) Any person who wilfully violates any provision of subsection (a)
87 of this section shall be guilty of a class A misdemeanor.

88 Sec. 3. Section 26-55 of the general statutes is repealed and the
89 following is substituted in lieu thereof (*Effective October 1, 2009*):

90 [No] (a) Except as provided in subsection (c) of this section, no
91 person shall import or introduce into the state, or possess or liberate
92 therein, any live fish, wild bird, wild mammal, reptile, amphibian or
93 invertebrate unless such person has obtained a permit therefor from
94 the commissioner. [, provided nothing in this section shall be
95 construed to require such permit for any primate species that weighs
96 not more than fifty pounds at maturity that was imported or possessed
97 in the state prior to October 1, 2003.] Such permit may be issued at the
98 discretion of the commissioner under such regulations as the
99 commissioner may prescribe. The commissioner may by regulation
100 prescribe the numbers of live fish, wild birds, wild mammals, reptiles,
101 amphibians or invertebrates of certain species which may be imported,
102 possessed, introduced into the state or liberated therein. The
103 commissioner may by regulation exempt certain species or groups of
104 live fish from the permit requirements. The commissioner may by

105 regulation determine which species of wild birds, wild mammals,
106 reptiles, amphibians or invertebrates must meet permit requirements.
107 The commissioner may totally prohibit the importation, possession,
108 introduction into the state or liberation therein of certain species which
109 the commissioner has determined may be a potential threat to humans,
110 agricultural crops or established species of plants, fish, birds,
111 mammals, reptiles, amphibians or invertebrates. The commissioner
112 may by regulation exempt from permit requirements organizations or
113 institutions such as municipal parks, zoos, laboratories and research
114 [laboratories, colleges or universities] facilities maintained by scientific
115 or educational institutions, museums, public nonprofit aquaria or
116 nature centers where live fish, wild birds, wild mammals, reptiles,
117 amphibians or invertebrates are held in strict confinement.

118 (b) Notwithstanding the provisions of subsection (a) of this section,
119 the importation and possession of the following species is prohibited:
120 (1) Any primate in the families cheirogaleidae, lemuridae,
121 lepilemuridae, indriidae, lorisidae, loris, daubentoniidae, galagidae,
122 galago, tarsiidae, callitrichidae, cebidae, pitheciidae or atelidae; (2) the
123 sciuridae, including, but not limited to, the prairie dog; (3) the
124 viverridae, including, but not limited to, the civet and genet; (4) any
125 venomous species in the family arachnidea, including, but not limited
126 to, the tarantula and scorpion; and (5) any poisonous species in the
127 family dendrobatidae, including, but not limited to, poison arrow
128 frogs.

129 (c) Notwithstanding the provisions of subsections (a) and (b) of this
130 section, the Commissioner of Environmental Protection may issue a
131 permit for the possession of a service primate to a permanently
132 disabled person with a severe mobility impairment, provided such
133 disabled person submits written certification to said commissioner: (1)
134 From a licensed medical doctor attesting to such disabled person's
135 disability, mobility impairment and the need for a service primate to
136 provide an essential function that cannot be performed by the disabled
137 person; (2) that such service primate was legally obtained, is from the
138 genus Cebus and is trained by an accredited service primate training

139 organization; and (3) that the organization furnishing the service
140 primate to the disabled person is a nonprofit organization and is in
141 compliance with all applicable federal and state animal welfare laws.

142 (d) Any such fish, bird, mammal, reptile, amphibian or invertebrate
143 illegally imported into the state or illegally possessed therein [shall]
144 may be seized by any representative of the Department of
145 Environmental Protection and [shall] may be relocated or disposed of
146 as determined by the commissioner. [Any person, except as provided
147 in section 26-55a, who violates any provision of this section or any
148 regulation issued by the commissioner as provided in this section shall
149 be guilty of an infraction. Importation, liberation or possession of each
150 fish, wild bird, wild mammal, reptile, amphibian or invertebrate in
151 violation of this section or such regulation shall be a separate and
152 distinct offense and, in the case of a continuing violation, each day of
153 continuance thereof shall be deemed to be a separate and distinct
154 offense.] The Department of Environmental Protection shall issue a bill
155 to the owner or person in illegal possession of such animal for all costs
156 of seizure, care, maintenance, relocation or disposal for such animal.

157 (e) Any person who violates any provision of this section or any
158 regulation adopted by the commissioner pursuant to this section shall
159 be assessed a civil penalty not to exceed one thousand dollars, to be
160 fixed by the court, for each offense. Each violation shall be a separate
161 and distinct offense. In the case of a continuing violation, each day's
162 continuance thereof shall be deemed to be a separate and distinct
163 offense. The Commissioner of Environmental Protection may request
164 the Attorney General to institute an action in Superior Court to recover
165 such civil penalty and any amounts owed pursuant to a bill issued in
166 accordance with subsection (d) of this section and for an order
167 providing such equitable and injunctive relief as the court deems
168 appropriate.

169 (f) Any person who wilfully violates any provision of this section or
170 any regulation adopted by the commissioner pursuant to this section
171 shall be guilty of a class C misdemeanor.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2009</i>	New section
Sec. 2	<i>October 1, 2009</i>	26-40a
Sec. 3	<i>October 1, 2009</i>	26-55

ENV *Joint Favorable Subst.*

JUD *Joint Favorable*