



General Assembly

Amendment

January Session, 2009

LCO No. 9355

HB0655209355HDO

Offered by:

REP. WILLIS, 64th Dist.
REP. CHAPIN, 67th Dist.
REP. WIDLITZ, 98th Dist.
REP. COOK, 65th Dist.
SEN. RORABACK, 30th Dist.

To: Subst. House Bill No. 6552

File No. 516

Cal. No. 336

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

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 26-40a of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2009*):

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

8 (1) The felidae, including, but not limited to, the lion, leopard,

9 cheetah, jaguar, ocelot, jaguarundi cat, puma, lynx and bobcat; the

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

12 (3) The ursidae, including, but not limited to, the black bear, grizzly
13 bear and brown bear; [No person shall possess a potentially
14 dangerous animal.] and

15 (4) The hominidae, including, but not limited to, the gorilla,
16 chimpanzee and orangutan.

17 (b) A primate that weighs less than thirty-five pounds at maturity
18 and that was imported or possessed by a person in this state prior to
19 October 1, 2003, shall not be considered a potentially dangerous animal
20 pursuant to this section.

21 (c) Any such animal illegally possessed may be ordered seized and
22 may be relocated or disposed of as determined by the Commissioner of
23 Environmental Protection. The Department of Environmental
24 Protection shall issue a bill to the owner or person in illegal possession
25 of such potentially dangerous animal for all costs of seizure, care,
26 maintenance, [and] relocation or disposal of such animal. Additionally,
27 any person who violates any provision of this section shall be assessed
28 a civil penalty not to exceed [one] two thousand dollars, to be fixed by
29 the court, for each offense. Each violation shall be a separate and
30 distinct offense and in the case of a continuing violation, each day's
31 continuance thereof shall be deemed to be a separate and distinct
32 offense. The Commissioner of Environmental Protection may request
33 the Attorney General to institute an action in Superior Court to recover
34 such penalty and any amounts owed pursuant to a bill issued in
35 accordance with this section and for an order providing such equitable
36 and injunctive relief as the court deems appropriate.

37 (d) The provisions of this section shall not apply to municipal parks,
38 zoos, [and] accredited by the Association of Zoos and Aquariums or
39 the Zoological Association of America, public nonprofit aquaria,

40 nature centers, [or] museums, or exhibitors licensed or registered with
41 the United States Department of Agriculture or laboratories and
42 research facilities maintained by scientific or educational institutions [;]
43 licensed or registered with the United States Department of
44 Agriculture or to a person possessing a Bengal cat certified by an
45 internationally recognized multiple-cat domestic feline breeding
46 association as being without wild parentage for a minimum of four
47 prior generations which cat was registered with the Commissioner of
48 Agriculture on or before October 1, 1996, provided no such cat may be
49 imported into this state after June 6, 1996. [; or to persons possessing
50 animals legally on or before May 23, 1983.] In any action taken by any
51 official of the state or any municipality to control rabies, a Bengal cat
52 shall be considered not vaccinated for rabies in accordance with
53 accepted veterinary practice.

54 (e) Any person who wilfully violates any provision of subsection (a)
55 of this section shall be guilty of a class A misdemeanor.

56 Sec. 2. Section 26-55 of the general statutes is repealed and the
57 following is substituted in lieu thereof (*Effective October 1, 2009*):

58 [No] (a) Except as provided in subsection (c) of this section, no
59 person shall import or introduce into the state, or possess or liberate
60 therein, any live fish, wild bird, wild mammal, reptile, amphibian or
61 invertebrate unless such person has obtained a permit therefor from
62 the commissioner. [, provided nothing in this section shall be
63 construed to require such permit for any primate species that weighs
64 not more than fifty pounds at maturity that was imported or possessed
65 in the state prior to October 1, 2003.] Such permit may be issued at the
66 discretion of the commissioner under such regulations as the
67 commissioner may prescribe. The commissioner [may] shall by
68 regulation prescribe the numbers of live fish, wild birds, wild
69 mammals, reptiles, amphibians or invertebrates of certain species
70 which may be imported, possessed, introduced into the state or
71 liberated therein. The commissioner may by regulation exempt certain
72 species or groups of live fish from the permit requirements. The

73 commissioner [may] shall by regulation determine which species of
74 wild birds, wild mammals, reptiles, amphibians or invertebrates must
75 meet permit requirements. The commissioner may totally prohibit the
76 importation, possession, introduction into the state or liberation
77 therein of certain species which the commissioner has determined may
78 be a potential threat to humans, agricultural crops or established
79 species of plants, fish, birds, mammals, reptiles, amphibians or
80 invertebrates. The commissioner [may] shall by regulation exempt
81 from permit requirements organizations or institutions such as
82 municipal parks, zoos, laboratories and research [laboratories, colleges
83 or universities] facilities maintained by scientific or educational
84 institutions, museums, public nonprofit aquaria or nature centers
85 where live fish, wild birds, wild mammals, reptiles, amphibians or
86 invertebrates are held in strict confinement.

87 (b) Any such fish, bird, mammal, reptile, amphibian or invertebrate
88 illegally imported into the state or illegally possessed therein [shall]
89 may be seized by any representative of the Department of
90 Environmental Protection and [shall] may be relocated or disposed of
91 as determined by the commissioner. [Any person, except as provided
92 in section 26-55a, who violates any provision of this section or any
93 regulation issued by the commissioner as provided in this section shall
94 be guilty of an infraction. Importation, liberation or possession of each
95 fish, wild bird, wild mammal, reptile, amphibian or invertebrate in
96 violation of this section or such regulation shall be a separate and
97 distinct offense and, in the case of a continuing violation, each day of
98 continuance thereof shall be deemed to be a separate and distinct
99 offense.] The Department of Environmental Protection shall issue a bill
100 to the owner or person in illegal possession of such animal for all costs
101 of seizure, care, maintenance, relocation or disposal for such animal.

102 (c) Any person who violates any provision of this section or any
103 regulation adopted by the commissioner pursuant to this section shall
104 be assessed a civil penalty not to exceed one thousand dollars, to be
105 fixed by the court, for each offense. Each violation shall be a separate
106 and distinct offense. In the case of a continuing violation, each day's

107 continuance thereof shall be deemed to be a separate and distinct
108 offense. The Commissioner of Environmental Protection may request
109 the Attorney General to institute an action in Superior Court to recover
110 such civil penalty and any amounts owed pursuant to a bill issued in
111 accordance with subsection (b) of this section and for an order
112 providing such equitable and injunctive relief as the court deems
113 appropriate.

114 (d) Any person who wilfully violates any provision of this section or
115 any regulation adopted by the commissioner pursuant to this section
116 shall be guilty of a class C misdemeanor.

117 Sec. 3. (NEW) (*Effective July 1, 2009*) Any person may import one or
118 more reindeer into the state during the period commencing on
119 Thanksgiving Day of each year and ending on the immediately
120 following New Year's Day, provided (1) any reindeer so imported is
121 subsequently exported from the state no later than a week following
122 the end of such period, and (2) such importation complies with the
123 following requirements: Each reindeer so imported (A) is individually
124 identified by a permanent metal ear tag, legible tattoo or microchip, (B)
125 possesses a certified veterinary report of inspection documenting an
126 inspection that occurred at least one day and not more than thirty days
127 prior to entry into the state, (C) possesses documentation that verifies
128 such reindeer (i) comes from a herd that is free of both tuberculosis
129 and brucellosis, or (ii) tested negative for tuberculosis and brucellosis
130 at least one day and not more than thirty days prior to entry into the
131 state, and (D) possesses documentation that the originating herd
132 participated in a state chronic wasting disease monitoring program (i)
133 not less than the prior three years if from a state or province not
134 known to have chronic wasting disease, or (ii) not less than the prior
135 five years if from a state or province known to have chronic wasting
136 disease outbreaks."

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

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