



General Assembly

**Substitute Bill No. 227**

February Session, 2016

\* SB00227ENV\_\_031716\_\_ \*

**AN ACT CONCERNING CECIL'S LAW.**

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

1 Section 1. (NEW) (*Effective from passage*) (a) For purposes of this  
2 section, "big five African species" means any specimen of any of the  
3 following members of the animal kingdom: African elephant  
4 (*loxodonta africana*), African lion (*panthera leo*), African leopard  
5 (*panthera pardus pardus*), black rhinoceros (*diceros bicornis*) and  
6 white rhinoceros (*ceratotherium simum cottoni*), including any part,  
7 product or offspring thereof, or the dead body or parts thereof, except  
8 fossils, whether or not it is included in a manufactured product or in a  
9 food product.

10 (b) No person shall import, possess, sell, offer for sale or transport in  
11 this state any big five African species.

12 (c) Any law enforcement officer shall have authority to enforce the  
13 provisions of this section and, whenever necessary, to execute any  
14 warrant to search for and seize any big five African species imported,  
15 possessed, sold, offered for sale or transported in violation of this  
16 section.

17 (d) Unless such activity is otherwise prohibited by federal law, the  
18 provisions of subsection (b) of this section shall not apply if any of the

19 following conditions exist: (1) Such specimen of a big five African  
20 species was located or possessed within the state prior to the effective  
21 date of this section and the legal owner of such specimen obtained a  
22 certificate of possession from the Commissioner of Energy and  
23 Environmental Protection; (2) such specimen of a big five African  
24 species is to be part of a temporary or permanent collection of a  
25 museum that has a tax exemption from the federal Internal Revenue  
26 Service as an educational or scientific institution, provided such  
27 specimen is not subsequently sold, offered for sale, traded, bartered or  
28 distributed to any other party; or (3) such specimen of a big five  
29 African species is distributed directly to a legal beneficiary of a trust or  
30 to a legal heir provided: (A) Such specimen was located or possessed  
31 by the decedent prior to the effective date of this section, (B) such  
32 beneficiary or heir does not subsequently sell, offer for sale, trade,  
33 barter or distribute such specimen to any other person, and (C) such  
34 beneficiary or heir obtains a certificate of possession from the  
35 Commissioner of Energy and Environmental Protection not later than  
36 one hundred eighty days after receipt of such specimen.

37 (e) Any specimen of a big five African species and any other  
38 property or item used in connection with a violation of the provisions  
39 of this section shall be seized and held pending any criminal  
40 proceeding pursuant to this section.

41 (f) Any person who violates the provisions of this section shall be  
42 guilty of a felony and fined not more than ten thousand dollars and  
43 imprisoned not more than two years, or both.

44 (g) Upon conviction of a person for violation of the provisions of  
45 this section or upon the entry of a judgment restraining a defendant  
46 from importing, possessing, selling, offering for sale or transporting  
47 any specimen of a big five African species on the grounds that such  
48 activity is or would be a violation of the provisions of this section, any  
49 specimen of a big five African species and any other property or item  
50 that is seized and held pursuant to this section shall be forfeited and,  
51 upon such forfeiture, destroyed.

52 (h) Nothing in this section shall be construed to apply to the  
53 importing, possessing, selling, offering for sale or transporting of ivory  
54 in this state.

55 (i) Nothing in this section shall be construed to apply to the  
56 importing, transporting or possessing of a live big five African species  
57 by any zoological institution or circus.

58 Sec. 2. Subsection (d) of section 26-311 of the general statutes is  
59 repealed and the following is substituted in lieu thereof (*Effective from*  
60 *passage*):

61 (d) Nothing in section 1 of this act or sections 26-303 to 26-312,  
62 inclusive, or any regulations adopted pursuant to said sections shall  
63 prohibit transportation through this state of any endangered or  
64 threatened species in accordance with the terms of any permit issued  
65 under the laws of another state provided the person in possession of  
66 an endangered or threatened species can prove legal possession of the  
67 species.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	26-311(d)

**ENV** Joint Favorable Subst.