



General Assembly

Substitute Bill No. 227

February Session, 2016

* SB00227JUD__041816__ *

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.*

JUD *Joint Favorable*