



General Assembly

January Session, 2017

Amendment

LCO No. 7305



Offered by:
SEN. LOONEY, 11th Dist.
SEN. DUFF, 25th Dist.

To: Subst. Senate Bill No. 522 File No. 241 Cal. No. 142

"AN ACT AUTHORIZING BEAR HUNTING IN CONNECTICUT."

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

3 "Section 1. (NEW) (*Effective October 1, 2017*) (a) For purposes of this
4 section, "big five African species" means any specimen of any of the
5 following members of the animal kingdom: African elephant
6 (*loxodonta africana*), African lion (*panthera leo*), African leopard
7 (*panthera pardus pardus*), black rhinoceros (*diceros bicornis*) and
8 white rhinoceros (*ceratotherium simum cottoni*), including any part,
9 product or offspring thereof, or the dead body or parts thereof, except
10 fossils, whether or not it is included in a manufactured product or in a
11 food product.

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

14 (c) Any law enforcement officer shall have authority to enforce the

15 provisions of this section and, whenever necessary, to execute any
16 warrant to search for and seize any big five African species imported,
17 possessed, sold, offered for sale or transported in violation of this
18 section.

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

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

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

46 (g) Upon conviction of a person for violation of the provisions of

47 this section or upon the entry of a judgment restraining a defendant
 48 from importing, possessing, selling, offering for sale or transporting
 49 any specimen of a big five African species on the grounds that such
 50 activity is or would be a violation of the provisions of this section, any
 51 specimen of a big five African species and any other property or item
 52 that is seized and held pursuant to this section shall be forfeited and,
 53 upon such forfeiture, destroyed, provided nothing in this subsection
 54 shall be construed to require or authorize the destruction of a living
 55 specimen of a big five African species.

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

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

62 Sec. 2. Subsection (d) of section 26-311 of the general statutes is
 63 repealed and the following is substituted in lieu thereof (*Effective*
 64 *October 1, 2017*):

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017</i>	New section
Sec. 2	<i>October 1, 2017</i>	26-311(d)