



House of Representatives

File No. 659

General Assembly

February Session, 2018

(Reprint of File No. 76)

Substitute House Bill No. 5354
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
April 30, 2018

AN ACT CONCERNING SNAPPING TURTLES AND RED-EARED SLIDER TURTLES.

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

1 Section 1. Section 26-78 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2018*):

3 (a) No person shall buy, sell or exchange, or have in possession with
4 intent to sell or exchange, any wild or game bird, wild quadruped,
5 reptile or amphibian, alive or dead, or parts thereof, including
6 plumage of any such bird, except as provided in this chapter, provided
7 any game bird, wild quadruped, reptile or amphibian, alive or dead, or
8 parts thereof, not including plumage of any such bird, legally taken
9 and legally transported into this state from any other state or country
10 which does not prohibit the sale or exportation of such bird, wild
11 quadruped, reptile or amphibian, may be bought or sold in this state at
12 any time of the year under such regulations as may be made by the
13 commissioner. The commissioner may make regulations governing the
14 importation, transportation, purchase, sale or exchange of wild or

15 game bird plumage. Any wild or game bird, wild quadruped, reptile
16 or amphibian, alive or dead, or parts thereof, including plumage of
17 such birds, possessed contrary to any of the provisions of this section
18 or any regulation made by the commissioner, shall be seized by any
19 representative of the department; and the commissioner or his
20 authorized agent shall make disposition of the same by sale or
21 destruction or by gift to any educational institution, museum,
22 zoological park or any other suitable place where in the opinion of the
23 commissioner an educational purpose will be served. The provisions of
24 this section shall not prohibit the possession, sale or exchange of heads,
25 hides or pelts of legally acquired deer and fur-bearing animals or the
26 possession and mounting of legally acquired game birds, wild
27 quadrupeds, reptiles and amphibians. Each wild or game bird, wild
28 quadruped, reptile or amphibian, or part thereof, or each lot or
29 package of wild or game bird plumage, possessed contrary to any
30 provision of this section or any regulation issued by the commissioner,
31 shall constitute a separate offense. Said commissioner may make
32 regulations authorizing the importation, exportation, possession, sale
33 and exchange of legally acquired, protected and unprotected species of
34 live wild birds, live wild quadrupeds, reptiles and amphibians under
35 such conditions as said commissioner shall determine. Said
36 commissioner may order any such bird, quadruped, reptile or
37 amphibian impounded for such period, at such place and in such
38 manner as is determined by the commissioner, to allow examination to
39 determine if such bird, quadruped, reptile or amphibian is diseased or
40 infected with parasites, and the commissioner is authorized to order
41 the destruction of such bird, quadruped, reptile or amphibian when in
42 his opinion such action would be advisable in the public interest. Any
43 person who violates any provision of this section or any regulation or
44 order issued by the commissioner under this section shall be guilty of a
45 class C misdemeanor. [The] Except as provided in subsection (b) of this
46 section, the provisions of this section shall [not] also apply to red-eared
47 slider turtles and snapping turtles.

48 (b) (1) The provisions of subsection (a) of this section and

49 subdivision (2) of this subsection shall not be construed to prohibit the
 50 use of red-eared slider turtles for any educational or research-related
 51 purpose by any scientific or educational institution or the buying,
 52 selling or exchanging, or possessing with the intent to sell or exchange
 53 of any red-eared slider turtle with distinctive aberrant color patterns,
 54 including albino or amelanistic specimens, provided (A) any seller of
 55 such a red-eared slider turtle with distinctive aberrant color patterns
 56 shall retain a record of the name and address of the purchaser of such
 57 turtle on a form prescribed by the Commissioner of Agriculture, and
 58 (B) no such turtle exempted under the provisions of this subsection
 59 shall be released upon the lands or into the waters of this state.

60 (2) No person shall import any red-eared slider turtle into this state.

61 (3) No person shall release any red-eared slider turtle upon the
 62 lands or into the waters of this state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2018	26-78

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Department of Energy and Environmental Protection	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill prohibits the commercial trade in snapping turtles until the Department of Energy and Environmental Protection (DEEP) adopts applicable regulations. As the agency currently has expertise for this purpose, there is no fiscal impact associated with this provision.

The bill also prohibits the importation of red-slider turtles. To the extent the prohibition results in a significant increase in complaints to DEEP's Environmental Conservation (EnCon) police, this may result in: (1) shifting EnCon officers' duties away from their regular tasks to enforce the prohibition, or (2) a minimal increase in EnCon overtime costs associated with enforcement.¹

Lastly, the bill prohibits the release of red-eared slider turtles, except for research. This provision has no fiscal impact, as it clarifies current practice.

House "A" narrows the scope of the bill resulting in the fiscal impact described above.

¹ In FY 18, it is estimated that the EnCon Division will spend \$383,000 on overtime.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of complaints.

Municipal Impact: None

OLR Bill Analysis**sHB 5354 (as amended by House "A")*****AN ACT CONCERNING SNAPPING TURTLES AND RED-EARED SLIDER TURTLES.****SUMMARY**

This bill prohibits the commercial trade in snapping turtles (*Chelydra serpentina*) until the Department of Energy and Environmental Protection (DEEP) adopts applicable regulations. The bill also bans (1) with two exceptions, importing red-eared slider turtles (*Trachemys scripta elegans*) and (2) releasing red-eared slider turtles to Connecticut's land or waters.

The bill's import ban on red-eared slider turtles exempts (1) scientific or educational institutions as long as the turtles are used for research or educational purposes and (2) buying or selling red-eared slider turtles with unique color patterns as long as the seller keeps certain purchaser information.

By law, violating the commercial trade ban or applicable regulations is a class C misdemeanor, punishable by a fine of up to \$500, up to three months in prison, or both. The bill extends this penalty to importing or releasing red-eared slider turtles.

*House Amendment "A" adds the import exemption for buying or selling red-eared slider turtles with unique color patterns.

EFFECTIVE DATE: October 1, 2018

SNAPPING TURTLE TRADE

Under the bill, no one can engage in the commercial trade of snapping turtles unless DEEP adopts applicable regulations.

Current law exempts snapping turtles from the law that generally bans, absent applicable DEEP regulations, purchasing, selling, exchanging, or possessing with intent to sell or exchange, wild birds, quadrupeds, reptiles, or amphibians. The bill removes this exemption, consequently banning the commercial trade of snapping turtles unless DEEP regulates it.

Existing DEEP regulations allow possessing up to 10 wild adult snapping turtles at a time. The daily and seasonal snapping turtle bag limits are five and 10, respectively. The open season for taking snapping turtles extends from July 15 to September 30 annually (Conn. Agencies Regs. §§ 26-55-3 and 26-66-14).

RED-EARED SLIDER TURTLE SELLING

The bill exempts from the import ban buying, selling, exchanging, or possessing with intent to sell or exchange, red-eared slider turtles with distinctive aberrant color patterns, including albino or amelanistic (i.e., lacking skin pigment) turtles. The exemption only applies if the turtle seller keeps a record of the purchaser’s name and address on a form the agriculture commissioner prescribes.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/14/2018)