



General Assembly

January Session, 2019

Committee Bill No. 6014

LCO No. 4463



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT PROHIBITING THE USE OF LEGHOLD AND BODY-CRUSHING TRAPS.

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

1 Section 1. Section 26-72 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 The commissioner may, after notice and public hearing conducted
4 in the manner prescribed by section 26-67, issue regulations governing
5 and prescribing the taking of all species of fur-bearing animals by use
6 of traps within the state. Such regulations may (1) establish the open
7 and closed seasons, (2) establish the legal hours, (3) prescribe the legal
8 methods that may be used, including size, type and kind of traps and
9 the type and kind of bait and lures, (4) designate the places where
10 traps may be placed and set and the conditions under which the
11 placing and setting of traps will be legal, (5) establish the daily bag
12 limit and the season bag limit, and (6) assess a reasonable fee, or
13 develop a comparable equitable plan, for season trapping rights on
14 state-owned property. Assignment of such rights for specific areas may
15 be determined by drawing or by the order in which requests therefor
16 are recorded as received in the office of the commissioner when there

17 is a set fee for such areas, or the method of high bid may be used. No
18 person shall set, place or attend any trap upon the land of another
19 without having in such person's possession the written permission of
20 the owner or lessee of such land, or such owner's or lessee's agent, and
21 no person shall set, place or attend any trap not having the name of the
22 person using such trap legibly stamped thereon or attached thereto,
23 provided the owner or legal occupant of such land or such person as
24 such owner or legal occupant designates may set, place or attend any
25 legal steel trap in any place within a radius of one hundred feet of any
26 permanent building located on such land. No person who sets, places
27 or attends any trap shall permit more than twenty-four hours to elapse
28 between visits to such trap, except that if such twenty-four-hour
29 period expires before sunset, the person who set such trap shall have
30 until sunset to visit the trap. No person shall place, set or attend any
31 body-crushing trap, leghold trap, snare, net or similar device capable
32 of taking, killing or injuring any animal. For purposes of this section,
33 "body-crushing trap" means any device designed to kill an animal with
34 a blow or crushing force to the body and includes, but is not limited to,
35 conibear-style traps and "leghold trap" means any device designed to
36 close on the foot or leg of an animal with sufficient force to hold the
37 animal until the person tending the trap returns and includes, but is
38 not limited to, a steel-jawed leghold style trap that is either padded or
39 unpadded. For purposes of this section, cage and box traps, nets,
40 suitcase-type beaver traps and common rat and mouse traps shall not
41 be considered body-crushing traps, leghold traps or snares. The pelt of
42 any fur-bearing animal legally taken may be possessed, sold or
43 transported at any time. Upon demand of any officer having authority
44 to serve criminal process or any representative of the Department of
45 Energy and Environmental Protection, any person in possession of any
46 such pelt shall furnish to such officer or such representative
47 satisfactory evidence that such pelt was legally taken or acquired. No
48 provision of this section shall be construed as prohibiting any
49 landowner or lessee of land used for agricultural purposes or any
50 citizen of the United States, or any person having on file in the court

51 having jurisdiction thereof a written declaration of such person's
52 intention to become a citizen of the United States, who is regularly
53 employed by such landowner or lessee, from pursuing, trapping and
54 killing at any time any fur-bearing animal, except deer, which is
55 injuring any property, or the owner of any farm or enclosure used for
56 breeding or raising any legally acquired fur-bearing animal who has a
57 game breeder's license issued by the commissioner or a fur breeder's
58 license issued by the Department of Agriculture, from taking or killing
59 any such animal legally in his or her possession at any time or having
60 in possession any pelt thereof. No person shall molest, injure or
61 disturb any muskrat house or den at any time. Any fur-bearing animal
62 legally taken alive may be possessed by the person taking the animal,
63 provided the person shall notify the commissioner in a writing signed
64 by the person stating the species and sex of such animal, the date and
65 the name of the town where such animal was taken and the specific
66 address where such animal will be kept. Any representative of the
67 department may at any time inspect such animal and the enclosure or
68 other facilities used to hold such animal and make inquiry concerning
69 the diet and other care such animal should have and if, in the opinion
70 of the commissioner or such representative, such animal is not being
71 provided adequate or proper facilities or care, such animal may be
72 seized by such representative of the department and be disposed of as
73 determined by the commissioner. Fur-bearing animals taken alive, as
74 provided in this section, shall not be sold or exchanged, provided the
75 person who legally possesses such animal may apply to the
76 commissioner for a game breeder's license or to the Department of
77 Agriculture for a fur breeder's license and when so licensed such
78 person may breed such animal and the progeny thereof, and such issue
79 when three generations removed from the wild may be sold or
80 exchanged alive or dead. Any trap illegally set and any snare, net or
81 similar device found placed or set in violation of the provisions of this
82 section shall be seized by any representative of the department and, if
83 not claimed within twenty-four hours, the commissioner may order
84 such trap, snare, net or other device destroyed, sold or retained for use

85 by the commissioner. Any person who violates any provision of this
86 section or any regulation issued by the commissioner shall be guilty of
87 a class D misdemeanor. Whenever any person is convicted, or forfeits
88 any bond, or has such person's case nolle upon the payment of any
89 sum of money, or receives a suspended sentence or judgment for a
90 violation of any of the provisions of this section or any regulation
91 issued hereunder by the commissioner, all traps used, set or placed in
92 violation of any such provisions or any such regulation may, by order
93 of the trial court, be forfeited to the state and may be retained for use
94 by the department or may be sold or destroyed at the discretion of the
95 commissioner. The proceeds from any such sale shall be paid to the
96 State Treasurer and the State Treasurer shall credit such proceeds to
97 the General Fund.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	26-72

Statement of Purpose:

To prohibit the use of leghold and body-crushing traps.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. KUPCHICK, 132nd Dist.; REP. CAMILLO, 151st Dist.
SEN. DUFF, 25th Dist.; REP. MICHEL, 146th Dist.
REP. MUSHINSKY, 85th Dist.; REP. LAVIELLE, 143rd Dist.

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