



General Assembly

**Substitute Bill No. 20**

January Session, 2019



**AN ACT PROHIBITING THE IMPORT, SALE AND POSSESSION OF  
AFRICAN ELEPHANTS, LIONS, LEOPARDS, BLACK RHINOCEROS,  
WHITE RHINOCEROS AND GIRAFFES.**

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

1 Section 1. (NEW) (*Effective October 1, 2019*) (a) For purposes of this  
2 section, "big six 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*), white  
6 rhinoceros (*ceratotherium simum cottoni*) and African giraffe (*giraffa*  
7 *camelopardalis*), including any part, product or offspring thereof, or  
8 the dead body or parts thereof, except fossils, whether or not it is  
9 included in a manufactured product or in a food product.

10 (b) No person shall import, possess, sell, offer for sale or transport in  
11 this state any big six 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 six 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 six 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 not later than one hundred eighty days after  
24 the effective date of this section; (2) such specimen of a big six African  
25 species is to be part of a temporary or permanent collection of a  
26 museum that has a tax exemption from the federal Internal Revenue  
27 Service as an educational or scientific institution, provided such  
28 specimen is not subsequently sold, offered for sale, traded, bartered or  
29 distributed to any other party; or (3) such specimen of a big six African  
30 species is distributed directly to a legal beneficiary of a trust or to a  
31 legal heir provided: (A) Such specimen was located or possessed by  
32 the decedent prior to the effective date of this section, (B) such  
33 beneficiary or heir does not subsequently sell, offer for sale, trade,  
34 barter or distribute such specimen to any other person, and (C) such  
35 beneficiary or heir obtains a certificate of possession from the  
36 Commissioner of Energy and Environmental Protection not later than  
37 one hundred eighty days after receipt of such specimen.

38 (e) Any specimen of a big six African species and any other property  
39 or item used in connection with a violation of the provisions of this  
40 section shall be seized and held pending any criminal proceeding  
41 pursuant to this section. In any criminal prosecution pursuant to this  
42 section, secondary evidence, including, but not limited to,  
43 photographs, shall be admissible against the defendant to the same  
44 extent as such specimen would be admissible.

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

48 (g) Upon conviction of a person for violation of the provisions of  
49 this section or upon the entry of a judgment restraining a defendant  
50 from importing, possessing, selling, offering for sale or transporting

51 any specimen of a big six African species on the grounds that such  
52 activity is or would be a violation of the provisions of this section, any  
53 specimen of a big six African species and any other property or item  
54 that is seized and held pursuant to this section shall be forfeited and,  
55 upon such forfeiture, destroyed, provided nothing in this subsection  
56 shall be construed to require or authorize the destruction of a living  
57 specimen of a big six African species.

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

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

64 (j) Nothing in this section shall be construed to apply to the  
65 transportation, purchase, exhibition or use of any animal in a motion  
66 picture, television or digital media production by a motion picture,  
67 television or digital media production company that employs or  
68 contracts with a dealer or exhibitor licensed pursuant to 7 USC 2133, as  
69 amended from time to time, or with a carrier, intermediate handler or  
70 unlicensed exhibitor registered under 7 USC 2136, as amended from  
71 time to time, to conduct such transport, purchase, exhibition or use.

72 Sec. 2. Subsection (d) of section 26-311 of the general statutes is  
73 repealed and the following is substituted in lieu thereof (*Effective*  
74 *October 1, 2019*):

75 (d) Nothing in section 1 of this act or sections 26-303 to 26-312,  
76 inclusive, or any regulations adopted pursuant to said sections shall  
77 prohibit transportation through this state of any endangered or  
78 threatened species in accordance with the terms of any permit issued  
79 under the laws of another state provided the person in possession of  
80 an endangered or threatened species can prove legal possession of the  
81 species.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2019</i>	New section
Sec. 2	<i>October 1, 2019</i>	26-311(d)

**ENV**      *Joint Favorable Subst.*