



General Assembly

February Session, 2020

Raised Bill No. 5104

LCO No. 755



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

***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, 2020*) (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 (*loxodonta*
4 *africana*), African lion (*panthera leo*), African leopard (*panthera pardus*
5 *pardus*), black rhinoceros (*diceros bicornis*), white rhinoceros
6 (*ceratotherium simum cottoni*) and African giraffe (*giraffa*
7 *camelopardalis*), including any part, product or offspring thereof, or the
8 dead body or parts thereof, except fossils, whether or not it is included
9 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 species
20 was located or possessed within the state prior to the effective date of
21 this section and the legal owner of such specimen obtained a certificate
22 of possession from the Commissioner of Energy and Environmental
23 Protection not later than one hundred eighty days after the effective date
24 of this section; (2) such specimen of a big six African species is to be part
25 of a temporary or permanent collection of a museum that has a tax
26 exemption from the federal Internal Revenue Service as an educational
27 or scientific institution, provided such specimen is not subsequently
28 sold, offered for sale, traded, bartered or distributed to any other party;
29 or (3) such specimen of a big six African species is distributed directly
30 to a legal beneficiary of a trust or to a legal heir provided: (A) Such
31 specimen was located or possessed by the decedent prior to the effective
32 date of this section, (B) such beneficiary or heir does not subsequently
33 sell, offer for sale, trade, barter or distribute such specimen to any other
34 person, and (C) such beneficiary or heir obtains a certificate of
35 possession from the Commissioner of Energy and Environmental
36 Protection not later than one hundred eighty days after receipt of such
37 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, photographs,
43 shall be admissible against the defendant to the same extent as such
44 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 this
49 section or upon the entry of a judgment restraining a defendant from
50 importing, possessing, selling, offering for sale or transporting any
51 specimen of a big six African species on the grounds that such activity
52 is or would be a violation of the provisions of this section, any specimen
53 of a big six African species and any other property or item that is seized
54 and held pursuant to this section shall be forfeited and, upon such
55 forfeiture, destroyed, provided nothing in this subsection shall be
56 construed to require or authorize the destruction of a living specimen of
57 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 by
63 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 October*
74 *1, 2020*):

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 an
80 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, 2020</i>	New section
Sec. 2	<i>October 1, 2020</i>	26-311(d)

Statement of Purpose:

To prohibit the import and trade of any big six African species.

[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.]