



General Assembly

Amendment

January Session, 2021

LCO No. 8306



Offered by:

SEN. LOONEY, 11th Dist.
SEN. DUFF, 25th Dist.
SEN. COHEN, 12th Dist.
SEN. HASKELL, 26th Dist.

SEN. MCCRORY, 2nd Dist.
SEN. MOORE, 22nd Dist.
SEN. WINFIELD, 10th Dist.

To: Subst. Senate Bill No. 925

File No. 637

Cal. No. 164

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

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

3 "Section 1. (NEW) (*Effective October 1, 2021*) (a) For purposes of this
4 section, "big six African species" means any specimen of any of the
5 following members of the animal kingdom: African elephant (*loxodonta*
6 *africana*), African lion (*panthera leo*), African leopard (*panthera pardus*
7 *pardus*), black rhinoceros (*diceros bicornis*), white rhinoceros
8 (*ceratotherium simum cottoni*) and African giraffe (*giraffa*
9 *camelopardalis*), including any part, product or offspring thereof, or the
10 dead body or parts thereof, except fossils, whether or not it is included
11 in a manufactured product or in a food product.

12 (b) No person shall import, possess, sell, offer for sale or transport in

13 this state any big six 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 six 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 six African species
22 was located or possessed within the state prior to the effective date of
23 this section and the legal owner of such specimen obtained a certificate
24 of possession from the Commissioner of Energy and Environmental
25 Protection not later than one hundred eighty days after the effective date
26 of this section; (2) such specimen of a big six African species is to be part
27 of a temporary or permanent collection of a museum or an educational
28 or scientific institution that has a tax exemption from the federal Internal
29 Revenue Service as an educational or scientific institution or is to be
30 used by a zoological institution for educational purposes, provided such
31 specimen is not subsequently sold, offered for sale, traded, bartered or
32 distributed to any other party that is not a tax exempt museum or
33 educational or scientific institution; (3) such specimen was imported to
34 the state by a tax exempt educational or scientific institution for
35 purposes of research; (4) such specimen of a big six African species is
36 possessed in the state for the purpose of performing taxidermy services,
37 provided such specimen is removed from the state not later than
38 fourteen days following completion of such taxidermy services; or (5)
39 such specimen of a big six African species is distributed directly to a
40 legal beneficiary of a trust or to a legal heir provided: (A) Such specimen
41 was located or possessed by the decedent prior to the effective date of
42 this section, (B) such beneficiary or heir does not subsequently sell, offer
43 for sale, trade, barter or distribute such specimen to any other person,
44 and (C) such beneficiary or heir obtains a certificate of possession from
45 the Commissioner of Energy and Environmental Protection not later
46 than one hundred eighty days after receipt of such specimen.

47 (e) Any specimen of a big six African species and any other property
48 or item used in connection with a violation of the provisions of this
49 section shall be seized and held pending any criminal proceeding
50 pursuant to this section. In any criminal prosecution pursuant to this
51 section, secondary evidence, including, but not limited to, photographs,
52 shall be admissible against the defendant to the same extent as such
53 specimen would be admissible.

54 (f) Any person who violates the provisions of this section for a first
55 offense shall be guilty of a class A misdemeanor. Any person who
56 subsequently violates the provisions of this section shall be guilty of a
57 class D felony.

58 (g) Any specimen of a big six African species and any other property
59 or item that is seized and held pursuant to this section shall be forfeited
60 and, upon such forfeiture, destroyed if seized from any person who is
61 found to have violated the provisions of this section or who is restrained
62 by a judgment from importing, possessing, selling, offering for sale or
63 transporting any specimen of a big six African species on the grounds
64 that such activity is or would be a violation of the provisions of this
65 section. Nothing in this subsection shall be construed to require or
66 authorize the destruction of a living specimen of a big six African
67 species.

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

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

74 (j) Nothing in this section shall be construed to apply to the
75 transportation, purchase, exhibition or use of any animal in a motion
76 picture, television or digital media production by a motion picture,
77 television or digital media production company that employs or
78 contracts with a dealer or exhibitor licensed pursuant to 7 USC 2133, as

79 amended from time to time, or with a carrier, intermediate handler or
 80 unlicensed exhibitor registered under 7 USC 2136, as amended from
 81 time to time, to conduct such transport, purchase, exhibition or use.

82 Sec. 2. Subsection (d) of section 26-311 of the general statutes is
 83 repealed and the following is substituted in lieu thereof (*Effective October*
 84 *1, 2021*):

85 (d) Nothing in section 1 of this act, sections 26-303 to 26-312, inclusive,
 86 or any regulations adopted pursuant to said sections shall prohibit
 87 transportation through this state of any endangered or threatened
 88 species in accordance with the terms of any permit issued under the
 89 laws of another state provided the person in possession of an
 90 endangered or threatened species can prove legal possession of the
 91 species."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	New section
Sec. 2	<i>October 1, 2021</i>	26-311(d)