



General Assembly

Amendment

January Session, 2021

LCO No. 8888



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) The provisions of subsection (b) of this section shall not apply if
20 the possession of such specimen of a big six African species is expressly
21 authorized by any federal law or permit, or if any of the following
22 conditions exist that are not otherwise prohibited by federal law: (1)
23 Such specimen of a big six African species was located or possessed
24 within the state prior to the effective date of this section and the legal
25 owner of such specimen obtained a certificate of possession from the
26 Commissioner of Energy and Environmental Protection not later than
27 one hundred eighty days after the effective date of this section; (2) such
28 specimen of a big six African species is to be part of a temporary or
29 permanent collection of a museum or an educational or scientific
30 institution that has a tax exemption from the federal Internal Revenue
31 Service as an educational or scientific institution or is to be used by a
32 zoological institution for educational purposes, provided such
33 specimen is not subsequently sold, offered for sale, traded, bartered or
34 distributed to any other party that is not a tax exempt museum or
35 educational or scientific institution; (3) such specimen was imported to
36 the state by a tax exempt educational or scientific institution for
37 purposes of research; (4) such specimen of a big six African species is
38 possessed in the state for the purpose of performing taxidermy services,
39 provided such specimen is removed from the state not later than
40 fourteen days following completion of such taxidermy services; or (5)
41 such specimen of a big six African species is distributed directly to a
42 legal beneficiary of a trust or to a legal heir provided: (A) Such specimen
43 was located or possessed by the decedent prior to the effective date of
44 this section, (B) such beneficiary or heir does not subsequently sell, offer
45 for sale, trade, barter or distribute such specimen to any other person,
46 and (C) such beneficiary or heir obtains a certificate of possession from

47 the Commissioner of Energy and Environmental Protection not later
48 than one hundred eighty days after receipt of such specimen.

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

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

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

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

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

76 (j) Nothing in this section shall be construed to apply to the
77 transportation, purchase, exhibition or use of any animal in a motion

78 picture, television or digital media production by a motion picture,
 79 television or digital media production company that employs or
 80 contracts with a dealer or exhibitor licensed pursuant to 7 USC 2133, as
 81 amended from time to time, or with a carrier, intermediate handler or
 82 unlicensed exhibitor registered under 7 USC 2136, as amended from
 83 time to time, to conduct such transport, purchase, exhibition or use.

84 Sec. 2. Subsection (d) of section 26-311 of the general statutes is
 85 repealed and the following is substituted in lieu thereof (*Effective October*
 86 *1, 2021*):

87 (d) Nothing in section 1 of this act, sections 26-303 to 26-312, inclusive,
 88 or any regulations adopted pursuant to said sections shall prohibit
 89 transportation through this state of any endangered or threatened
 90 species in accordance with the terms of any permit issued under the
 91 laws of another state provided the person in possession of an
 92 endangered or threatened species can prove legal possession of the
 93 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)