



General Assembly

Substitute Bill No. 20

January Session, 2019



SB00020ENV 022619

**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.*