



Substitute Senate Bill No. 925

Public Act No. 21-52

**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:

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

(b) No person shall import, possess, sell, offer for sale or transport in this state any big six African species.

(c) Any law enforcement officer shall have authority to enforce the provisions of this section and, whenever necessary, to execute any warrant to search for and seize any big six African species imported, possessed, sold, offered for sale or transported in violation of this section.

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

(e) Any specimen of a big six African species and any other property or item used in connection with a violation of the provisions of this

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section shall be seized and held pending any criminal proceeding pursuant to this section. In any criminal prosecution pursuant to this section, secondary evidence, including, but not limited to, photographs, shall be admissible against the defendant to the same extent as such specimen would be admissible.

(f) (1) Any person who violates the provisions of this section for (A) a first offense shall have committed an infraction, unless such person in good faith at the time of such offense was unaware that he or she was importing, possessing, selling, offering for sale or transporting any specimen of a big six African species, or (B) a second offense shall have committed an infraction if such person previously violated the provisions of this section, but was not found to have committed an infraction because he or she in good faith at the time of such previous offense was unaware that he or she was importing, possessing, selling, offering for sale or transporting any specimen of a big six African species.

(2) Any person who subsequently violates the provisions of this section and whose immediate previous offense for a violation of this section was an infraction under subdivision (1) of this subsection shall be guilty of a class B misdemeanor.

(3) Any person who violates the provisions of this section for any offense subsequent to an offense under subdivision (2) of this subsection shall be guilty of a class D felony.

(g) Any specimen of a big six African species and any other property or item that is seized and held pursuant to this section shall be forfeited and, upon such forfeiture, destroyed if seized from any person who is found to have violated the provisions of this section or who is restrained by a judgment from importing, possessing, selling, offering for sale or transporting any specimen of a big six African species on the grounds that such activity is or would be a violation of the provisions of this

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section. Nothing in this subsection shall be construed to require or authorize the destruction of a living specimen of a big six African species.

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

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

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

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

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

Approved June 16, 2021