

109TH CONGRESS
1ST SESSION

S. 1415

To amend the Lacey Act Amendments of 1981 to protect captive wildlife
and make technical corrections.

IN THE SENATE OF THE UNITED STATES

JULY 18, 2005

Mr. INHOFE (for himself, Mr. JEFFORDS, and Mr. CHAFEE) introduced the
following bill; which was read twice and referred to the Committee on En-
vironment and Public Works

A BILL

To amend the Lacey Act Amendments of 1981 to protect
captive wildlife and make technical corrections.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Captive Wildlife Safety
5 Technical Amendment Act of 2005”.

6 **SEC. 2. CAPTIVE WILDLIFE AMENDMENTS.**

7 (a) PROHIBITED ACTS.—Section 3 of the Lacey Act
8 Amendments of 1981 (16 U.S.C. 3372) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (2)—

1 (i) in subparagraph (A), by inserting
 2 “or” after the semi-colon;

3 (ii) in subparagraph (B), by striking
 4 “; or” and inserting a semi-colon; and

5 (iii) by striking subparagraph (C);
 6 and

7 (B) in paragraph (4), by inserting “or sub-
 8 section (e)” before the period; and
 9 (2) in subsection (e)—

10 (A) by redesignating paragraphs (2), (3),
 11 (4), and (5) as paragraphs (3), (4), (5), and (6)
 12 respectively;

13 (B) by striking “(e)” and all that follows
 14 through “Subsection (a)(2)(C)” in paragraph
 15 (1) and inserting the following:

16 “(e) CAPTIVE WILDLIFE OFFENSE.—

17 “(1) IN GENERAL.—It is unlawful for any per-
 18 son to import, export, transport, sell, receive, ac-
 19 quire, or purchase in interstate or foreign commerce
 20 any live animal of any prohibited wildlife species.

21 “(2) NONAPPLICABILITY.—This subsection”;

22 (C) in paragraph (2) (as redesignated by
 23 subparagraph (A))—

24 (i) by striking “a” before “prohibited”
 25 and inserting “any”;

1 (ii) by striking “(3)” and inserting
 2 “(4)”; and

3 (iii) by striking “(2)” and inserting
 4 “(3)”;

5 (D) in paragraph (3) (as redesignated by
 6 subparagraph (A))—

7 (i) in subparagraph (C)—

8 (I) in clauses (ii) and (iii), by
 9 striking “animals listed in section
 10 2(g)” each place it appears and in-
 11 serting “prohibited wildlife species”;
 12 and

13 (II) in clause (iv), by striking
 14 “animals” and inserting “prohibited
 15 wildlife species”; and

16 (ii) in subparagraph (D), by striking
 17 “animal” each place it appears and insert-
 18 ing “prohibited wildlife species”;

19 (E) in paragraph (4) (as redesignated by
 20 subparagraph (A)), by striking “(2)” and in-
 21 serting “(3)”;

22 (F) in paragraph (6) (as redesignated by
 23 subparagraph (A)), by striking “subsection
 24 (a)(2)(C)” and inserting “this subsection”; and

1 (G) by inserting after paragraph (6) (as
 2 redesignated by subparagraph (A)) the fol-
 3 lowing:

4 “(7) APPLICATION.—This subsection shall
 5 apply beginning on the effective date of regulations
 6 promulgated under this subsection.”.

7 (b) CRIMINAL PENALTIES.—Section 4(d) of the
 8 Lacey Act Amendments of 1981 (16 U.S.C. 3373(d)) is
 9 amended—

10 (1) in paragraphs (1)(A) and (1)(B) and in the
 11 first sentence of paragraph (2), by striking “sub-
 12 section 3(b)” each place it appears and inserting
 13 “subsections (b), (d), and (e) of section 3”; and

14 (2) in paragraph (3), by striking “section 3(d)”
 15 and inserting “subsections (d) and (e) of section 3”.

16 **SEC. 3. APPLICABILITY PROVISION AMENDMENT.**

17 Section 3 of the Captive Wildlife Safety Act (117
 18 Stat. 2871; Public Law 108–191) is amended—

19 (1) in subsection (a), by striking “(a) IN GEN-
 20 ERAL.—Section 3” and inserting “Section 3”; and

21 (2) by striking subsection (b).

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