114TH CONGRESS
1ST SESSION

H. R. 2920

To amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, of any live animal of any prohibited wildlife species.

IN THE HOUSE OF REPRESENTATIVES

June 25, 2015

Mr. Fitzpatrick (for himself, Mr. Blumenauer, Mr. Buchanan, Ms. Delauro, Mr. Larson of Connecticut, and Mr. King of New York) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, of any live animal of any prohibited wildlife species.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Captive Primate Safety Act.”
SEC. 2. ADDITION OF NONHUMAN PRIMATES TO DEFINITION OF PROHIBITED WILDLIFE SPECIES.

Section 2(g) of the Lacey Act Amendments of 1981 (16 U.S.C. 3371(g)) is amended by inserting before the period at the end “or any nonhuman primate”.

SEC. 3. CAPTIVE WILDLIFE AMENDMENTS.

(a) Prohibited Acts.—Section 3 of the Lacey Act Amendments of 1981 (16 U.S.C. 3372) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting “or” after the semicolon;

(ii) in subparagraph (B)(iii), by striking “; or” and inserting a semicolon; and

(iii) by striking subparagraph (C);

and

(B) in paragraph (4), by inserting “or subsection (e)” before the period; and

(2) in subsection (e)—

(A) by striking “(e)” and all that follows through paragraph (1) and inserting the following:

“(e) Captive Wildlife Offense.—

“(1) In General.—It is unlawful for any person to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce,
or in a manner substantially affecting interstate or foreign commerce, any live animal of any prohibited wildlife species.”; and

(B) in paragraph (2)—

(i) by striking so much as precedes subparagraph (A) and inserting the following:

“(2) LIMITATION ON APPLICATION.—Paragraph (1) does not apply to any person who—”;

(ii) in subparagraph (A), by inserting before the semicolon at the end “and does not allow direct contact between the any member of the public and a live bear, tiger, lion, jaguar, cougar, African leopard, snow leopard, ape, gibbon, siamang, monkey, or loris, regardless of the age of the animal”;

(iii) in subparagraph (B), by striking “State-licensed wildlife rehabilitator,”;

(iv) in subparagraph (C)—

(I) by striking “an accredited” and inserting “a”;

(II) in clauses (ii) and (iii), by striking “animals listed in section 2(g)” each place it appears and in-
serting “prohibited wildlife species”;
and

(III) in clause (iv), by striking “animals” and inserting “prohibited wildlife species”; and

(v) in subparagraph (D), by striking “animal” each place it appears and inserting “prohibited wildlife species”.

(b) CIVIL PENALTIES.—Section 4(a)(1) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(a)(1)) is amended—

(1) by inserting “(e),” after “subsections (b), (d),”;

(2) by inserting “, (e),” after “subsection (d)”.

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

(1) in subparagraphs (A) and (B) of paragraph (1), by inserting “(e),” after “subsections (b), (d),” each place it appears;

(2) in paragraph (2), by inserting “(e),” after “subsections (b), (d),”;

(3) in paragraph (3), by inserting “, (e),” after “subsection (d)”.

(d) EFFECTIVE DATE; REGULATIONS.—
(1) EFFECTIVE DATE.—Subsections (a) through (e), and the amendments made by those subsections, shall take effect on the earlier of—

(A) the date of promulgation of regulations under paragraph (2); and

(B) the expiration of the period referred to in paragraph (2).

(2) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall promulgate regulations implementing the amendments made by this section.

SEC. 4. APPLICABILITY PROVISION AMENDMENT.

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

(1) in subsection (a), by striking “(a) IN GENERAL.—Section 3” and inserting “Section 3”; and

(2) by striking subsection (b).

SEC. 5. REGULATIONS.

Section 7(a) of the Lacey Act Amendments of 1981 (16 U.S.C. 3376(a)) is amended by adding at the end the following:

“(3) The Secretary shall, in consultation with other relevant Federal and State agencies, promul-
gate any regulations necessary to implement section 3(e).”