H. R. 5226

To amend the Lacey Act Amendments of 1981 to further the conservation of certain wildlife species.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2002

Mr. GEORGE MILLER of California introduced the following bill; which was referred to the Committee on Resources

A BILL

To amend the Lacey Act Amendments of 1981 to further the conservation of certain 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 Wildlife Safety Act”.

SEC. 2. PROHIBITION ON IMPORT, ETC. OF CERTAIN WILDLIFE.

(a) In General.—The Lacey Act Amendments of 1981 is amended—
(1) in section 2 (16 U.S.C. 3371) by adding at the end the following:

“(k) The term ‘prohibited wildlife species’ means any live lion, tiger, leopard, cheetah, jaguar, cougar, or bear.”;

(2) in section 3(a)(2) (16 U.S.C. 3372(a)(2))—

(A) in subparagraph (A) by striking “or” the fifth time it appears;

(B) in subparagraph (B) by striking the semicolon and inserting “, or”; and

(C) by adding at the end the following:

“(C) any prohibited wildlife species (subject to subsection (e));”;

and

(3) by adding at the end the following:

“(e)(1) Subsection (a)(2)(C) does not apply to—

“(A) any zoo, circus, research facility licensed or registered and inspected by the Federal Government, or aquarium;

“(B) any person accredited by the Association of Sanctuaries or the American Sanctuary Association;

“(C) any State university or agency, State-licensed wildlife rehabilitator, or State-licensed veterinarian;
“(D) any incorporated humane society, animal shelter, or society for the prevention of cruelty to animals;

“(E) any federally-licensed and inspected breeder or dealer who is conducting any breeding or dealing activity with a person referred to in this paragraph; and

“(F) any person having custody of a wild animal solely for the purpose of transporting it to a person referred to in this paragraph.

“(2) The Secretary, in consultation with the heads of other relevant Federal agencies shall, within 6 months after the date of enactment of this subsection, issue regulations describing the persons referred to in paragraph (1).

“(3) Nothing in this subsection shall be considered or construed to preempt or supersede the authority of a State to regulate wildlife species within that State.”.

(b) APPLICATION.—Section 3(a)(2)(C) of the Lacey Act Amendments of 1981, as amended by this section, shall apply after the effective date of regulations under section 3(e)(2) of such Act.