

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5226

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

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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

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## A BILL

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

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 Act”.

6 **SEC. 2. PROHIBITION ON IMPORT, ETC. OF CERTAIN WILD-**  
7 **LIFE.**

8 (a) IN GENERAL.—The Lacey Act Amendments of  
9 1981 is amended—

1           (1) in section 2 (16 U.S.C. 3371) by adding at  
2 the end the following:

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

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

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

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

11           (C) by adding at the end the following:

12           “(C) any prohibited wildlife species (sub-  
13 ject to subsection (e));”; and

14           (3) by adding at the end the following:

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

16           “(A) any zoo, circus, research facility licensed  
17 or registered and inspected by the Federal Govern-  
18 ment, or aquarium;

19           “(B) any person accredited by the Association  
20 of Sanctuaries or the American Sanctuary Associa-  
21 tion;

22           “(C) any State university or agency, State-li-  
23 censed wildlife rehabilitator, or State-licensed veteri-  
24 narian;

1           “(D) any incorporated humane society, animal  
2           shelter, or society for the prevention of cruelty to  
3           animals;

4           “(E) any federally-licensed and inspected breed-  
5           er or dealer who is conducting any breeding or deal-  
6           ing activity with a person referred to in this para-  
7           graph; and

8           “(F) any person having custody of a wild ani-  
9           mal solely for the purpose of transporting it to a  
10          person referred to in this paragraph.

11          “(2) The Secretary, in consultation with the heads  
12          of other relevant Federal agencies shall, within 6 months  
13          after the date of enactment of this subsection, issue regu-  
14          lations describing the persons referred to in paragraph  
15          (1).

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

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

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