

111TH CONGRESS  
1ST SESSION

# H. R. 2308

To amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals and certain computer-assisted remote hunting, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2009

Mr. COHEN (for himself, Mr. WHITFIELD, and Mr. SHERMAN) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals and certain computer-assisted remote hunting, and for other purposes.

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 “Sportsmanship in  
5 Hunting Act of 2009”.

1 **SEC. 2. TRANSPORT OR POSSESSION OF EXOTIC ANIMALS**  
2 **FOR PURPOSES OF KILLING OR INJURING**  
3 **THEM.**

4 (a) IN GENERAL.—Chapter 3 of title 18, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing:

7 **“§ 49. Exotic animals**

8 “(a) CAPTIVE EXOTIC ANIMALS.—Whoever, in or af-  
9 fecting interstate or foreign commerce, knowingly trans-  
10 fers, transports, or possesses a confined exotic animal, for  
11 the purposes of allowing the killing or injuring of that ani-  
12 mal for entertainment or for the collection of a trophy,  
13 shall be fined under this title, imprisoned not more than  
14 1 year, or both.

15 “(b) COMPUTER-ASSISTED REMOTE HUNTING.—  
16 Whoever, using any instrumentality of interstate or for-  
17 eign commerce, knowingly makes available a computer-as-  
18 sisted remote hunt shall be fined under this title or impris-  
19 oned not more than 5 years, or both.

20 “(c) EXCEPTION.—Providing an instrumentality of  
21 commerce, such as equipment or access to the Internet,  
22 is not a violation of subsection (b) unless the provider has  
23 knowledge that the equipment or access is to be used for  
24 a computer-assisted remote hunt.

25 “(d) DEFINITIONS.—In this section—

1           “(1) the term ‘confined exotic animal’ means a  
2           mammal of a species not indigenous to the United  
3           States that has been held in captivity—

4                   “(A) the majority of the animal’s life; or

5                   “(B) a continuous period of 1 year;

6           “(2) the term ‘captivity’ does not include any  
7           period during which an animal lives as it would in  
8           the wild—

9                   “(A) surviving primarily by foraging for  
10           naturally occurring food;

11                   “(B) roaming at will over an open area of  
12           not less than 1,000 acres; and

13                   “(C) having the opportunity to avoid hunt-  
14           ers;

15           “(3) the term ‘computer-assisted remote hunt’  
16           means any use of a computer or other device, equip-  
17           ment, or software to allow a person remotely to con-  
18           trol the aiming and discharge of a weapon so as to  
19           kill or injure an animal while not in the physical  
20           presence of the targeted animal; and

21           “(4) the term ‘instrumentality of interstate  
22           commerce’ means any written, wire, radio, television,  
23           or other form of communication in, or using a facil-  
24           ity of, interstate commerce.

1       “(e) CONSTRUCTION WITH OTHER LAW.—Nothing  
2 in this section limits the power of State and local authori-  
3 ties to enact laws or regulations concerning computer-as-  
4 sisted remote hunting facilities.”.

5       (b) CONFORMING AMENDMENT.—The table of sec-  
6 tions at the beginning of chapter 3 of title 18, United  
7 States Code, is amended by adding at the end the fol-  
8 lowing new item:

“49. Exotic animals.”.

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