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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R.

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

Mr. BLUMENAUER introduced the following bill; which was referred to the Committee on _____

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.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Captive Primate Safety
3 Act”.

4 **SEC. 2. ADDITION OF NONHUMAN PRIMATES TO DEFINI-**
5 **TION OF PROHIBITED WILDLIFE SPECIES.**

6 Section 2(g) of the Lacey Act Amendments of 1981
7 (16 U.S.C. 3371(g)) is amended by inserting before the
8 period at the end “or any nonhuman primate”.

9 **SEC. 3. CAPTIVE WILDLIFE AMENDMENTS.**

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

12 (1) in subsection (a)—

13 (A) in paragraph (2)—

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

16 (ii) in subparagraph (B)(iii), by strik-
17 ing “; or” and inserting a semicolon; and

18 (iii) by striking subparagraph (C);
19 and

20 (B) in paragraph (4), by inserting “or sub-
21 section (e)” before the period; and

22 (2) in subsection (e)—

23 (A) by striking “(e)” and all that follows
24 through paragraph (1) and inserting the fol-
25 lowing:

26 “(e) CAPTIVE WILDLIFE OFFENSE.—

1 “(1) IN GENERAL.—It is unlawful for any per-
2 son to import, export, transport, sell, receive, ac-
3 quire, or purchase in interstate or foreign commerce,
4 or in a manner substantially affecting interstate or
5 foreign commerce, any live animal of any prohibited
6 wildlife species.”; and

7 (B) in paragraph (2)—

8 (i) by striking so much as precedes
9 subparagraph (A) and inserting the fol-
10 lowing:

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

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

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

22 (iv) in subparagraph (C)—

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

1 (II) in clauses (ii) and (iii), by
2 striking “animals listed in section
3 2(g)” each place it appears and in-
4 serting “prohibited wildlife species”;
5 and

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

9 (v) in subparagraph (D), by striking
10 “animal” each place it appears and insert-
11 ing “prohibited wildlife species”.

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

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

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

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

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

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

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

3 (d) **EFFECTIVE DATE; REGULATIONS.**—

4 (1) **EFFECTIVE DATE.**—Subsections (a)
5 through (c), and the amendments made by those
6 subsections, shall take effect on the earlier of—

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

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

11 (2) **REGULATIONS.**—Not later than 180 days
12 after the date of enactment of this Act, the Sec-
13 retary of the Interior shall promulgate regulations
14 implementing the amendments made by this section.

15 **SEC. 4. APPLICABILITY PROVISION AMENDMENT.**

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

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

20 (2) by striking subsection (b).

21 **SEC. 5. REGULATIONS.**

22 Section 7(a) of the Lacey Act Amendments of 1981
23 (16 U.S.C. 3376(a)) is amended by adding at the end the
24 following:

1 “(3) The Secretary shall, in consultation with
2 other relevant Federal and State agencies, promul-
3 gate any regulations necessary to implement section
4 3(e).”.