

H.R.2964

Title: To amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act, to make corrections in the provisions relating to captive wildlife offenses under that Act, and for other purposes.

Sponsor: [Rep Johnson, Eddie Bernice](#) [TX-30] (introduced 7/10/2007)

[Cosponsors](#) (14)

Related Bills: [S.1498](#)

Latest Major Action: 7/16/2007 Referred to House subcommittee. Status: Referred to the Subcommittee on Fisheries, Wildlife, and Oceans.

HR 2964 IH

110th CONGRESS

1st Session

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IN THE HOUSE OF REPRESENTATIVES

July 10, 2007

Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. KIRK, Mr. GEORGE MILLER of California, Mr. GRIJALVA, Ms. SCHAKOWSKY, and Mr. BOSWELL) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act, to make corrections in the provisions relating to captive wildlife offenses under that Act, and for other purposes.

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 non-human 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), 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 redesignating paragraphs (2), (3), (4), and (5) as paragraphs (3), (4), (5), and (6) respectively;

(B) by striking '(e)' and all that follows through 'Subsection (a)(2)(C)' in 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 any live animal of any prohibited wildlife species.

'(2) NONAPPLICABILITY- This subsection';

(C) in paragraph (2) (as redesignated by subparagraph (A))--

(i) by striking 'a' before 'prohibited' and inserting 'any';

(ii) by striking '(3)' and inserting '(4)'; and

(iii) by striking '(2)' and inserting '(3)';

(D) in paragraph (3) (as redesignated by subparagraph (A))--

(i) in subparagraph (C)--

(I) in clauses (ii) and (iii), by striking `animals listed in section 2(g)' each place it appears and inserting `prohibited wildlife species'; and

(II) in clause (iv), by striking `animals' and inserting `prohibited wildlife species'; and

(ii) in subparagraph (D), by striking `animal' each place it appears and inserting `prohibited wildlife species';

(E) in paragraph (4) (as redesignated by subparagraph (A)), by striking `(2)' and inserting `(3)';

(F) in paragraph (6) (as redesignated by subparagraph (A)), by striking `subsection (a)(2)(C)' and inserting `this subsection'; and

(G) by inserting after paragraph (6) (as redesignated by subparagraph (A)) the following:

`(7) APPLICATION- This subsection shall apply beginning on the effective date of regulations promulgated under this subsection.'

(b) Civil Penalties- Section 4(a) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(a)) is amended--

(1) in paragraph (1), by striking `subsections (b) and (d)' and inserting `subsections (b), (d), and (e)'; and

(2) in paragraph (1), by striking `section 3(d)' and inserting `subsection (d) or (e) of section 3'.

(c) Criminal Penalties- Section 4(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(d)) is amended--

(1) in paragraphs (1)(A) and (1)(B) and in the first sentence of paragraph (2), by striking `subsections (b) and (d)' each place it appears and inserting `subsections (b), (d), and (e)'; and

(2) in paragraph (3), by striking `section 3(d)' and inserting `subsection (d) or (e) of section 3'.

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).

END