

| State | Vermont v 4.1 | New Jersey | New York | California | Washington | Federal |
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| Prohibition | A person shall not import, sell, offer for sale, purchase, barter, or possess with intent to sell, any ivory, ivory product, rhinoceros horn, or rhinoceros horn product | It shall be unlawful for any person to import, sell, offer for sale, purchase, barter, or possess with intent to sell, any ivory, ivory product, rhinoceros horn, or rhinoceros horn product | No person shall sell, offer for sale, purchase, trade, barter or distribute an ivory article or rhinoceros horn | Unlawful to purchase, sell, offer for sale, possess with intent to sell, or import with intent to sell ivory or rhinoceros horn | Unlawful for a person to sell, offer to sell, purchase, trade, barter for, or distribute any covered animal species part or product | Prohibits sale or offer for sale of ivory in interstate or foreign commerce and delivery, receipt, carrying, transport, or shipment in interstate or foreign commerce in the course of a commercial activity. |
| Definition | Ivory means any tusk composed of ivory from an elephant or mammoth | Ivory means any tooth or tusk composed of ivory from any animal, including but not limited to, an elephant, hippopotamus, mammoth, narwhal, walrus, or whale | Ivory article means any item containing worked or raw ivory from any species of elephant or mammoth | Ivory means a tooth or tusk from a species of elephant, hippopotamus, mammoth, mastodon, walrus, warthog, whale, or narwhal — includes a product advertised as containing ivory | Covered species means any species of elephant, rhinoceros, tiger, lion, leopard, cheetah, pangolin, marine turtle, shark, or ray either: listed in CITES app. I or II; or listed on IUCN red list | Applies to ivory — African elephant tusks. |
| Exceptions | <ul style="list-style-type: none"> • Authorized conveyances to beneficiaries • Law enforcement activities • Import expressly authorized by federal law • Import as part of personal or household move • Permits for education or scientific purposes | <ul style="list-style-type: none"> • Authorized conveyances to beneficiaries • Law enforcement activities • Import expressly authorized by federal law • Permits for education or scientific purposes | <ul style="list-style-type: none"> • May issue a license or permit, provided: <ul style="list-style-type: none"> ○ Bona fide antique: <ul style="list-style-type: none"> ▪ Less than 20% by volume ▪ Not less than 100yrs old ○ Education or scientific purpose ○ Legal beneficiary ○ Musical Instrument manufactured no later than 1975 | <ul style="list-style-type: none"> • Law enforcement activities • Authorized by exemption or permit under federal law • Musical Instrument, provided: <ul style="list-style-type: none"> ○ Ivory is less than 20% by volume ○ Manufactured no later than 1975 • Bona fide antique, provided: <ul style="list-style-type: none"> ○ Ivory is less than 5% by volume ○ Not less than 100 yrs old • Educational / scientific purpose, with limitations | <ul style="list-style-type: none"> • Bona fide antique, provided: <ul style="list-style-type: none"> ○ Not less than 100 yrs old ○ Ivory is less than 15% by volume • Distribution is for bona fide educational or scientific purpose, or to or from a museum • Authorized conveyance to beneficiaries • Musical Instrument if less than 15% by volume • Intrastate sale is expressly authorized by federal law or permit • Law enforcement activities | <ul style="list-style-type: none"> • Permits for educational or scientific purposes • Qualifying antiques, provided: <ul style="list-style-type: none"> ○ Not less than 100 yrs old ○ Composed in whole or part of ivory ○ Has not been repaired or modified after Dec. 1973 ○ Entered a designated port after Sep. 1982 • de minimis: <ul style="list-style-type: none"> ○ Importation requirement ○ Pre-CITES (outside US) ○ Ivory is fixed component and not primary source of value ○ Ivory is not raw ○ Item is not wholly or primarily ivory ○ Total weight of ivory is less than 200 grams ○ Manufactured before effective date • Considering museums exception. |

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| <p>Penalties</p> | <ul style="list-style-type: none"> • Misdemeanor • 1st Offense: <ul style="list-style-type: none"> ○ \$1,000 or 2x total value • 2nd Offense: <ul style="list-style-type: none"> ○ \$5,000 or 2x total value • In addition to those imposed under federal law • Seizure upon conviction | <ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> ○ Not less than \$1,000 or 2x total value • 2nd Offense <ul style="list-style-type: none"> ○ Not less than \$5,000 or 2x total value • In addition to other penalties • Seizure upon conviction | <ul style="list-style-type: none"> • Based on value of the seizure • \$0—250 value <ul style="list-style-type: none"> ○ \$500 fine, up to 15 days in jail • \$251 — 1,500 value <ul style="list-style-type: none"> ○ \$5,000 fine, up to 1 year in jail • \$1,501 — 25,000 value <ul style="list-style-type: none"> ○ \$5,000 fine, 1 to 4 years in jail • \$25,000+ value <ul style="list-style-type: none"> ○ Up to 7 years in jail | <ul style="list-style-type: none"> • 1st Offense: <ul style="list-style-type: none"> ○ \$1,000 — 40,000 ○ Up to 30 days in jail — 1 year • 2nd Offense: <ul style="list-style-type: none"> ○ \$5,000 — 50,000 or 2x the value ○ Up to 1 year in jail • Also an administrative penalty of up to \$10,000 • Seizure | <ul style="list-style-type: none"> • If less than \$250 value <ul style="list-style-type: none"> ○ Up to \$5,000 fine ○ Up to 364 days in jail ○ \$2,000 administrative penalty • If \$250 or more or subsequent offense <ul style="list-style-type: none"> ○ Up to \$10,000 ○ Up to 5 years on jail ○ \$4,000 administrative penalty | <ul style="list-style-type: none"> • The maximum penalty for violating the ESA is one year in prison and a \$100,000 fine for an individual, \$200,000 for an organization. Those who engage in illegal wildlife trade under the ESA may also face prosecution under the Lacey Act's anti-trafficking provisions (maximum penalty of 5 years in prison and fines of \$250,000 for an individual or \$500,000 for an organization). |
| <p>Effective Date</p> | <p>July 2016</p> | <p>August 2014 — ban went into effect 6 months after (Feb 2015)</p> | <p>August 2014</p> | <p>July 2016</p> | <p>December 2015</p> | <p>Final Rule — March 2016 @ earliest</p> |