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Act No. 169 (H.99). Conservation and land development; wildlife; trade in covered animal parts and products

An act relating to trade in covered animal parts or products

This act prohibits a person from selling, offering for sale, or possessing with intent to sell any item that the person knows or should know is a covered animal part or product. “Covered animal part or product” means any item that contains, or is wholly or partially made from, a covered animal, including the meat or flesh of a covered animal sold as food. “Covered animal” means any species of: cheetah; elephant; giraffe; hippopotamus; jaguar; leopard; lion; mammoth; mastodon; pangolin; endangered ray; rhinoceros; sea turtle; endangered shark; tiger; whale; and the following primates: gorillas, bonobos, orangutans, gibbons, or chimpanzees.

There are five exceptions to the prohibition on sale of covered animal parts or products. One of the exceptions is when the covered animal part or product is a fixed component of an antique, provided that the antique status is established by the owner or seller by showing provenance of the covered animal part or product, the covered animal part or product is 100 years old or older, and the total weight of the covered animal part or product is less than 200 grams. Another exception is when the covered animal part or product is a fixed component of a firearm, knife, or musical instrument if the covered animal part or product was legally acquired, and the total weight of the covered animal part or product in the firearm, knife, or instrument is less than 200 grams.

A person who violates the prohibition on the sale of covered animal parts is subject to an administrative penalty issued by the Secretary of Natural Resources. However, the Secretary of Natural Resources may refer a violation to the Commissioner of Fish and Wildlife for criminal prosecution.

Effective Date: January 1, 2022