

**ASSEMBLY BILL**

**No. 2075**

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**Introduced by Assembly Member Alejo**

February 20, 2014

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An act to amend Section 653o of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 2075, as introduced, Alejo. Crimes: importation or sale of endangered animals.

Existing law makes it a misdemeanor to import into the state for commercial purposes, to possess with intent to sell, or to sell within the state, the dead body, or any part or product thereof, of specified animals, including polar bears, leopards, ocelots, and alligator or crocodilian species listed as endangered under the federal Endangered Species Act.

This bill would make technical, nonsubstantive changes to these provision.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 653o of the Penal Code, as amended by
- 2 Section 2 of Chapter 412 of the Statutes of 2010, is amended to
- 3 read:
- 4 653o. (a) It is unlawful to import into this state for commercial
- 5 purposes, to possess with intent to sell, or to sell within the state,
- 6 the dead body, or any part or product thereof, of ~~any a~~ polar bear,
- 7 leopard, ocelot, tiger, cheetah, jaguar, sable antelope, wolf (*Canis*
- 8 *lupus*), zebra, whale, cobra, python, sea turtle, colobus monkey,

1 kangaroo, vicuna, sea otter, free-roaming feral horse, dolphin or  
2 porpoise (Delphinidae), Spanish lynx, or elephant.

3 (b) (1) Commencing January 1, 2015, it shall be unlawful to  
4 import into this state for commercial purposes, to possess with  
5 intent to sell, or to sell within the state, the dead body, or any part  
6 or product thereof, of ~~any~~ a crocodile or alligator.

7 (2) This subdivision shall not be construed to authorize the  
8 importation or sale of any alligator or crocodilian species, or any  
9 products thereof, that are listed as endangered under the federal  
10 Endangered Species Act, or to allow the importation or sale of any  
11 alligator or crocodilian species, or any products thereof, in violation  
12 of any federal law or ~~any~~ international treaty to which the United  
13 States is a party.

14 (c) ~~Any~~ A person who violates ~~any provision~~ of this section is  
15 guilty of a misdemeanor and shall be subject to a fine of not less  
16 than one thousand dollars (\$1,000) and not to exceed five thousand  
17 dollars (\$5,000) or imprisonment in the county jail not to exceed  
18 six months, or both that fine and imprisonment, for each violation.

19 (d) The prohibitions against importation for commercial  
20 purposes, possession with intent to sell, and sale of the species  
21 listed in this section are severable. A finding of the invalidity of  
22 any one or more prohibitions shall not affect the validity of any  
23 remaining prohibitions.

24 (e) This section shall become operative on January 1, 2016.