

110TH CONGRESS
2D SESSION

H. R. 5534

To amend the Lacey Act Amendments of 1981 to extend its protections to bears illegally harvested for their viscera in the same manner as with respect to prohibited wildlife species, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2008

Mr. GRIJALVA introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To amend the Lacey Act Amendments of 1981 to extend its protections to bears illegally harvested for their viscera in the same manner as with respect to prohibited wildlife species, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bear Protection Act
5 of 2008”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to ensure the long-term
3 viability of the world’s 8 bear species by reinforcing State
4 conservation and management of bear populations.

5 **SEC. 3. BEAR VISCERA DEFINED.**

6 Section 2 of the Lacey Act Amendments of 1981 (16
7 U.S.C. 3371) is amended—

8 (1) by redesignating paragraphs (a) through (k)
9 as paragraphs (b) through (l), respectively; and

10 (2) by inserting before paragraph (b) (as so re-
11 designated) the following new paragraph:

12 “(a) BEAR VISCERA.—The term ‘bear viscera’—

13 “(1) subject to subparagraphs (2) and (3),
14 means the body fluids or internal organs of a species
15 of bear;

16 “(2) except as provided in subparagraph (3),
17 includes the gallbladder of such a species and its
18 contents; and

19 “(3) does not include blood or brains of such a
20 species.”.

21 **SEC. 4. DISCOURAGING THE ILLEGAL HARVEST OF BEARS**
22 **FOR THEIR VISCERA.**

23 Section 3 of the Lacey Act Amendments of 1981 (16
24 U.S.C. 3372) is amended in subsections (a)(2)(C) and
25 (e)(1) by inserting “or bear viscera” after “prohibited
26 wildlife species” each place it appears.

1 **SEC. 5. STATE MANAGEMENT AUTHORITY.**

2 None of the amendments made by this Act shall be
3 construed to affect the regulation by any State of its bear
4 populations or to affect the hunting of bears that is lawful
5 under applicable State laws and regulations.

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