

1.1 moves to amend H.F. No. 1403 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. **[84.0896] TRADE IN PROHIBITED ANIMAL PARTS PROHIBITED.**

1.4 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

1.5 (b) "Antique" means an item that:

1.6 (1) contains no more than 200 grams of prohibited animal part as a fixed component of
1.7 an item that is not made wholly or partially from a prohibited animal part; and

1.8 (2) is documented to be at least 100 years old.

1.9 (c) "Prohibited animal part" means any of the following:

1.10 (1) a tooth or tusk from any species of elephant, hippopotamus, mammoth, mastodon,
1.11 walrus, whale, or narwhal, or any piece thereof, whether raw or worked;

1.12 (2) any product containing any of the materials described in clause (1);

1.13 (3) a horn, piece of horn, or derivative of a horn, such as a powder, of any species of
1.14 rhinoceros; and

1.15 (4) any product containing any of the materials described in clause (3).

1.16 (d) "Sell" or "sale" means an exchange for consideration and includes barter and
1.17 possession with intent to sell. The term does not include a transfer of ownership by gift,
1.18 donation, or bequest.

1.19 Subd. 2. **Prohibition.** A person shall not purchase or sell any item that the person knows
1.20 or should know is a prohibited animal part.

1.21 Subd. 3. **Exceptions.** (a) Subdivision 2 does not prohibit the sale or purchase of a
1.22 prohibited animal part if the sale or purchase is:

- 2.1 (1) undertaken as part of law enforcement activities;
2.2 (2) expressly authorized by federal law;
2.3 (3) of an antique;
2.4 (4) of a musical instrument containing a lawfully acquired fixed component made of no
2.5 more than 200 grams of prohibited animal part; or
2.6 (5) of a prohibited animal part by a bona fide educational or scientific institution that is
2.7 a nonprofit corporation, as defined in section 501(c)(3) of the Internal Revenue Code.

2.8 (b) Subdivision 2 does not prohibit the possession of a cultural artifact containing a
2.9 prohibited animal part.

2.10 Subd. 4. **Disposition of seized prohibited animal parts.** Notwithstanding any other
2.11 provision of law, a prohibited animal part seized under this section shall, upon conviction,
2.12 be forfeited to the state and either destroyed or given to a nonprofit corporation, as defined
2.13 in section 501(c)(3) of the Internal Revenue Code, for an educational or scientific purpose.

2.14 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to crimes
2.15 committed on or after that date.

2.16 Sec. 2. **OUTREACH AND EDUCATION.**

2.17 The commissioner of natural resources, in coordination with interested organizations,
2.18 must provide outreach and education to communities concerned about cultural artifacts
2.19 about the new requirements established under Minnesota Statutes, section 84.0896."

2.20 Amend the title accordingly