

HR 1404

Endangered Species Criminal and Civil Penalties Liability Reform Act

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Public Lands and Natural Resources

Introduced: Apr 4, 2001

Current Status: Referred to the House Committee on Resources.

Latest Action: Referred to the House Committee on Resources. (Apr 4, 2001)

Official Text: <https://www.congress.gov/bill/107th-congress/house-bill/1404>

Sponsor

Name: Rep. Thomas, William M. [R-CA-21]

Party: Republican • State: CA • Chamber: House

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Walden, Greg [R-OR-2]	R · OR		May 24, 2001
Rep. Otter, C. L. (Butch) [R-ID-1]	R · ID		Jun 5, 2001

Committee Activity

Committee	Chamber	Activity	Date
Natural Resources Committee	House	Referred To	Apr 4, 2001

Subjects & Policy Tags

Policy Area:

Public Lands and Natural Resources

Related Bills

No related bills are listed.

Endangered Species Criminal and Civil Penalties Liability Reform Act - Amends the Endangered Species Act of 1973 to prohibit a person from being liable for any criminal or civil penalty for a violation committed while conducting an otherwise lawful activity and not for the purpose of a prohibited taking, unless: (1) the Secretary of the Interior provides the person with notice of the violation; and (2) the person fails to terminate and correct the activity constituting the violation by not later than 30 days after the date of the notice.

Requires each conservation plan developed to include provisions under which persons who have entered into, and are in compliance with, the conservation plan may not, without their consent, be required to undertake any additional mitigation measures for species covered by the plan if the measures would require payment or compliance with use, development, or management restrictions on any land, waters, or water related rights, in addition to payments or compliance, respectively, otherwise required under the terms of the plan.

Makes it an affirmative defense, in any enforcement action or citizen suit in which it is alleged that a defendant acted or failed to act with respect to a member of an endangered or threatened species, that the defendant could not reasonably have known that the fish or wildlife or plant concerned is a member of an endangered or threatened species.

Authorizes the Secretary to: (1) enter into "safe harbor" agreements with non-Federal persons to benefit the conservation of endangered or threatened species by creating, restoring, or improving habitat or by maintaining currently unoccupied habitat; and (2) provide a grant of up to \$10,000 to any individual private landowner to assist the landowner in carrying out such an agreement.

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### **Actions Timeline**

- **Apr 4, 2001:** Introduced in House
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