

118TH CONGRESS  
1ST SESSION

# S. 2870

To amend the Endangered Species Act of 1973 to allow certain activities to be conducted with respect to sturgeon held in captivity or in a controlled environment in the United States, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2023

Mr. SCOTT of Florida (for himself and Mr. RUBIO) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Endangered Species Act of 1973 to allow certain activities to be conducted with respect to sturgeon held in captivity or in a controlled environment in the United States, 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 “Sturgeon Conservation  
5 and Sustainability Act”.

1 **SEC. 2. STURGEON HELD IN CAPTIVITY OR CONTROLLED**  
2 **ENVIRONMENTS IN THE UNITED STATES.**

3 Section 9(b) of the Endangered Species Act of 1973  
4 (16 U.S.C. 1538(b)) is amended by adding at the end the  
5 following:

6 “(3) STURGEON.—

7 “(A) IN GENERAL.—Subsection (a)(1) and sec-  
8 tion 7(a)(2) shall not apply to—

9 “(i) a sturgeon farmed in the United  
10 States that is legally held in captivity or in a  
11 controlled environment as of the date of enact-  
12 ment of this paragraph, until such time as the  
13 sturgeon is intentionally returned to a wild  
14 state; or

15 “(ii) progeny of a sturgeon described in  
16 clause (i), until such time as the progeny is in-  
17 tentionally returned to a wild state.

18 “(B) DEMONSTRATION; REQUIREMENTS.—

19 “(i) IN GENERAL.—Any person holding  
20 any sturgeon or progeny described in subpara-  
21 graph (A) shall—

22 “(I) be able to demonstrate that the  
23 sturgeon or progeny qualifies as a sturgeon  
24 or progeny, as applicable, described in that  
25 subparagraph; and

1                   “(II) maintain and submit to the Sec-  
2                   retary, on request of the Secretary, such  
3                   inventories, documentation, and records as  
4                   the Secretary may, by regulation, require  
5                   as being reasonably appropriate to carry  
6                   out the purposes of this paragraph.

7                   “(ii) REQUIREMENTS.—Requirements de-  
8                   scribed in clause (i)(II) shall not unnecessarily  
9                   duplicate the requirements of other rules and  
10                  regulations promulgated by the Secretary under  
11                  this Act.”.

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