



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

January 21, 2010

S. 373

A bill to amend title 18, United States Code, to include constrictor snakes of the species Python genera as an injurious animal

*As ordered reported by the Senate Committee on the Environment and Public Works
on December 10, 2009*

CBO estimates that implementing S. 373 would have no significant cost to the federal government. Enacting the bill could affect direct spending and revenues, but CBO estimates that any such effects would not be significant.

S. 373 would make it a federal crime to import or ship certain snakes into the United States. Because the bill would establish a new offense, the government would be able to pursue cases that it otherwise would not be able to prosecute. We expect that S. 373 would apply to a relatively small number of offenders, so any increase in costs for law enforcement, court proceedings, or prison operations would not be significant. Any such costs would be subject to the availability of appropriated funds.

Because those prosecuted and convicted under S. 373 could be subject to criminal fines, the federal government might collect additional fines if the legislation is enacted. Criminal fines are recorded as revenues, deposited in the Crime Victims Fund, and later spent. CBO expects that any additional revenues and direct spending would not be significant because of the small number of cases likely to be affected.

Under S. 373, entities such as zoos would need permits to import or transport the affected species of snakes. Based on information provided by the U.S. Fish and Wildlife Service (USFWS), which issues permits for such activities, CBO estimates that enacting the bill could result in an increase in offsetting collections (for permits) and associated spending. We estimate that such increases would be minimal, however, and would offset each other in most years, resulting in no significant net cost.

By prohibiting the importation and interstate transport of several species of python, anaconda, and boa constrictor without a permit from USFWS, the bill would impose intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). USFWS is authorized to issue permits for scientific, medical, educational, or zoological reasons.

The cost to public and private entities that are eligible for permits, such as zoos or research centers, would be the expense of obtaining those permits. Fees for private entities would be \$25 or \$100 depending on the activity being authorized. (USFWS regulations prohibit the agency from charging permit fees to state, local, or tribal entities.) The cost of the mandate to those ineligible for a permit, including private importers, breeders, retailers, shippers, and owners of those snakes, would be the forgone net income from the inability to sell or transport the animals across state lines. According to the USFWS, exporting those species of snakes would be allowed, however, only from ports designated by the USFWS.

Based on information about the cost of permits from the USFWS and information gathered from individuals in the industry about the value of shipments, sales, and imports of species covered by the legislation, CBO estimates that the direct costs of the mandates would fall below the annual thresholds established in UMRA for intergovernmental and private-sector mandates (\$70 million and \$141 million in 2010, respectively, adjusted annually for inflation).

On October 9, 2009, CBO transmitted a cost estimate for H.R. 2811, a bill to amend title 18, United States Code, to include constrictor snakes of the species Python genera as an injurious animal, as ordered reported by the House Committee on the Judiciary on July 29, 2009. The two bills are similar, and the CBO cost estimates are the same.