

H.R. 263, Big Cat Public Safety Act

As reported by the House Committee on Natural Resources on July 22, 2022

By Fiscal Year, Millions of Dollars	2022	2022-2027	2022-2032
Direct Spending (Outlays)	0	*	*
Revenues	0	*	*
Increase or Decrease (-) in the Deficit	0	*	*
Spending Subject to Appropriation (Outlays)	*	3	not estimated
Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	No	Contains intergovernmental mandate?	Yes, Under Threshold
		Contains private-sector mandate?	Yes, Under Threshold
* = between -\$500,000 and \$500,000.			

Current law prohibits the import, export, purchase, sale, transport, or acquisition of big cats, such as lions and tigers, across state lines or the national border. H.R. 263 would generally prohibit the breeding and possession of those animals, although wildlife sanctuaries, veterinarians, colleges and universities, zoos, exhibitions, and other entities that meet certain requirements would be exempt. In addition, people who already own such animals would be permitted to keep them if they register with the U.S. Fish and Wildlife Service (USFWS).

For this estimate, CBO assumes that H.R. 263 will be enacted late in fiscal year 2022. The bill would direct USFWS to issue regulations to implement the prohibition on breeding and possession. In addition, CBO expects that under the bill, the Department of Agriculture (USDA) could revise existing regulations on the licensing of entities that possess, exhibit, and breed big cats. Based on the costs of similar tasks, we estimate that developing those regulations would cost \$1 million over the 2022-2023 period.

Many states already prohibit ownership of the affected species and CBO expects that people who currently own such animals would register with USFWS. Thus, violations under the bill would probably occur infrequently. On that basis, CBO estimates that USFWS would incur costs of less than \$500,000 annually after 2023 to maintain the registry and conduct enforcement. In total, we estimate that implementing H.R. 263 would cost about \$3 million



over the 2022-2027 period; such spending would be subject to the availability of appropriated funds.

Under H.R. 263, violators would be subject to criminal and civil penalties, which are recorded in the budget as revenues; some of those penalties could be spent without further appropriation. Thus, enacting the bill would increase revenues and direct spending, but CBO estimates that those increases would be insignificant over the 2022-2032 period because we expect the number of violations would be small.

Because H.R. 263 would either prohibit the possession and breeding of big cats or require owners, exhibitors, and breeders to take actions that would exempt them from the prohibitions, the bill contains intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Although CBO cannot estimate the cost to comply with some of the bill's mandates, we expect the aggregate cost of the mandates, which would include both lost income and additional expenses to comply with the bill's requirements, would not exceed the annual threshold established in UMRA for intergovernmental and private-sector mandates (\$92 million and \$184 million respectively, in 2022, adjusted annually for inflation).

The bill would establish different requirements for entities licensed by USDA to possess, exhibit, and breed big cats; for wildlife sanctuaries; and for all other owners to be eligible for an exemption from the prohibitions. Approximately 340 facilities, both public and private, are licensed by USDA to possess, exhibit, and breed big cats.

To qualify for an exemption from the bill's prohibitions, exhibitors would be required to:

- Prohibit public contact, with limited exceptions, with the big cats; and
- Maintain a 15-foot gap between the public and the animals or erect a permanent barrier.

Approximately 30 exhibitors, including public zoos, allow physical contact with big cats through seasonal encounters with the animals, and about 150 mostly privately-owned facilities host or participate in special fundraising events that allow some form of encounter with the animals.

CBO expects that prohibiting contact with the cats (or keeping the 15-foot gap) would decrease the financial success of these events. Using information provided by conservation groups and industry sources, CBO estimates that the cost of prohibiting or limiting these activities, in the form of foregone income, would be about \$80 million each year.



CBO has no data about the physical characteristics of exhibition settings or the ability of licensed exhibitors who wish to continue public exposure to the big cats to meet the new setback and barrier requirements. Thus, CBO cannot estimate the cost to comply with the exemption.

H.R. 263 would prohibit wildlife sanctuaries from transporting and displaying their big cats off site. CBO has no data on the number of sanctuaries that transport and display big cats, or the income stemming from that activity, and thus cannot estimate the cost of this prohibition.

The bill would require all other entities that possess big cats born before enactment to register the animals with USFWS if they want to be exempted from the bill's prohibitions. CBO cannot precisely estimate the cost of this mandate because regulations implementing the bill, including the cost to register the animals, have not been developed and the number of animals that would need to be registered is unknown. But based on information from animal welfare organizations, CBO expects the aggregate costs to be small.

Finally, to be eligible for the exemption, those owners also would be prohibited from breeding or selling their cats. Approximately 200 cubs are traded or sold each year at value of roughly \$8,000 per animal, according to industry sources; many of those cubs are born in facilities that would be unable to continue breeding big cats. CBO estimates the cost of the breeding prohibition would be less than \$1.6 million per year.

The CBO staff contacts for this estimate are Lilia Ledezma (for federal costs) and Fiona Forrester (for mandates). The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.