

SEC. 1. SHORT TITLE

This bill is designated as The Retailers and Entertainers Lacey Implementation and Enforcement Fairness Act, or The “RELIEF” Act.

SEC. 2. FINDINGS

The 2008 Amendments to the Lacey Act expanded Lacey’s protections to include plants and provided a formal process to source all imported plants or plant products. Because the 2008 Amendments are overly broad, it has become necessary to clarify them so that the average owner, purchaser, or retailer of plant or plant products is not subject to penalties including forfeiture, fines, or imprisonment.

SEC. 3 TREATMENT OF PLANTS AND PLANTS PRODUCTS UNDER LACEY ACT AMENDMENTS OF 1981

- a. *Limitation on Application of Act to Certain Plants and Plant Products.* This is a grandfather provision exempting any plant product imported or manufactured before May 22, 2008.
- b. *Limitation on Application of Plant Declaration Requirement.* The sourcing requirements in the Lacey Act for plant products derived from a tree are limited to solid wood and items imported only for commerce.
- c. *Civil Forfeitures.* Plants or plant products possessed by an innocent owner (as defined by 46 USC 18 Sec. 983 (d)) are not considered contraband and subject to automatic forfeiture.

SEC. 4 REDUCED PENALTIES FOR CERTAIN FIRST OFFENSES

The penalty for violating the Lacey Act the first time, as it pertains to plants, is limited to a \$250 fine for all violations in a single offense, as long as the offense was not knowingly committed.

SEC. 5 REVIEW AND REPORT

The Director of U.S. Fish and Wildlife is directed to submit a report to Congress six months after the Secretary of Interior or Secretary of Commerce issues a review containing numerous evaluations including the feasibility of creating and maintaining a public database of all foreign laws from countries in which plants are exported.

SEC. 6 FUNDING FOR IMPLEMENTATION OF PLANT DECLARATION REQUIREMENT

All agencies that implement the Lacey Act are directed to allocate sufficient amounts to implement the current and any future phases of the declaration process.

SEC. 7 STANDARD CERTIFICATION PROCESS FOR PLANTS AND PLANT PRODUCTS

All agencies that implement the Lacey Act are directed to issue a standard certification process for all plant and plant products legally imported or manufactured after May 22, 2008.

SEC. 8 FEDERAL TRADE COMMISSION REVIEW

The Federal Trade Commission is directed to submit a report to Congress on the competitiveness in the domestic market for raw materials for the manufacture of musical instruments and the impact of the amendments made by this Act to the Lacey Act.