102ND GENERAL ASSEMBLY
State of Illinois
2021 and 2022

HB3889


SYNOPSIS AS INTRODUCED:

720 ILCS 5/48-11

Amends the Criminal Code of 2012. Provides that a person commits unlawful use of an exotic animal in a traveling animal act when he or she knowingly allows for the participation of an exotic animal (rather than an elephant) in a traveling animal act. This offense is a Class A misdemeanor. Defines "exotic animal".

CORRECTIONAL BUDGET AND IMPACT NOTE ACT MAY APPLY
AN ACT concerning criminal law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Criminal Code of 2012 is amended by changing Section 48-11 as follows:

(720 ILCS 5/48-11)
Sec. 48-11. Unlawful use of an exotic animal elephant in a traveling animal act.

(a) Definitions. As used in this Section:

"Exotic animal" means any animal that is native to a foreign country or of foreign origin or character, is not native to the United States, or was introduced from abroad including, but not limited to, lions, tigers, leopards, elephants, camels, antelope, anteaters, kangaroos, and water buffalo and species of foreign domestic cattle, such as Ankole, Gayal, and Yak or a wild animal.

"Mobile or traveling animal housing facility" means a transporting vehicle such as a truck, trailer, or railway car used to transport or house animals while traveling to an exhibition or other performance.

"Performance" means an exhibition, public showing, presentation, display, exposition, fair, animal act, circus, ride, trade show, petting zoo, carnival, parade, race, or
other similar undertaking in which animals are required to
perform tricks, give rides, or participate as accompaniments
for entertainment, amusement, or benefit of a live audience.

"Traveling animal act" means any performance of animals
where animals are transported to, from, or between locations
for the purpose of a performance in a mobile or traveling
animal housing facility.

(b) A person commits unlawful use of an exotic animal
elephant in a traveling animal act when he or she knowingly
allows for the participation of an exotic animal African
elephant (Loxodonta africana) or Asian elephant (Elephas
maximus) protected under the federal Endangered Species Act of
1973 in a traveling animal act.

(c) This Section does not apply to an exhibition of exotic
animals elephants at a non-mobile, permanent institution, or
other facility.

(d) Sentence. Unlawful use of an exotic animal elephant in
a traveling animal act is a Class A misdemeanor.

(Source: P.A. 100-90, eff. 1-1-18.)