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## **OLR Bill Analysis**

### **sHB 5293**

#### ***AN ACT PROHIBITING THE USE OF WILD OR EXOTIC ANIMALS IN TRAVELING ANIMAL ACTS.***

#### **SUMMARY**

This bill generally prohibits using certain exotic or wild animals in traveling animal acts. Anyone who willfully violates the bill commits a class C misdemeanor, which is subject to a fine of up to \$500, imprisonment for up to three months, or both.

Specifically, the bill prohibits causing a performance of, or allowing an exotic or wild animal to participate in, a traveling animal act unless an exemption applies (see below). Under the bill:

1. to “cause a performance” means to be responsible for, or financially benefit as the owner, operator, or sponsor from, a performance;
2. a “performance” is a circus, carnival, display, exhibition, fair, fight, parade, petting zoo, race, ride, or trade show where an exotic or wild animal performs tricks, gives rides, or accompanies a person entertaining an audience; and
3. a “traveling animal act” is a performance for which exotic or wild animals are transported in a “mobile or traveling housing facility” (i.e., a transportation vehicle like a car, truck, trailer, plane, ship, or railway car).

EFFECTIVE DATE: July 1, 2022

#### **EXEMPTIONS**

The bill exempts the following from its prohibition:

1. an exhibition at a nonmobile, permanent wildlife sanctuary or institution, facility, zoo, or aquarium accredited by the

Association of Zoos and Aquariums or Global Federation of Animal Sanctuaries;

2. an environmental education program administered by an entity (a) accredited by the Association of Zoos and Aquariums, (b) engaged in falconry under state law, or (c) permitted by the Department of Energy and Environmental Protection under any state law (but see below); and
3. a university, college, laboratory, or other research facility that (a) holds a class C exhibitor's license issued by the U.S. Department of Agriculture (USDA) under the federal Animal Welfare Act and (b) possesses its most recent USDA inspection report.

Under the bill, a "wildlife sanctuary" is an organization recognized as one by the federal Internal Revenue Code for the care of abused, neglected, or displaced exotic or wild animals that does not (1) breed these animals, (2) commercially trade them or their parts, or (3) conduct entertainment or interaction events for the public.

Additionally, an "environmental education program" is an animal exhibition that (1) is professionally designed to teach, for educational or conservation purposes, about an animal's behavior, habitat, or life cycle; (2) is conducted by a qualified individual; and (3) does not include a performance of a behavior that does not occur in the animal's wild state.

To be eligible for the exemption, the bill prohibits an environmental education program from (1) using an animal in a program for more than six months a year and (2) keeping an animal in a mobile or traveling housing facility for more than 12 hours a day.

#### **EXOTIC OR WILD ANIMAL DEFINED**

Under the bill, an "exotic or wild animal" is any of the following:

1. Canidae, excluding domestic dogs (e.g., wolves, coyotes, foxes);
2. cetartiodactyla (e.g., whales, dolphins);
3. crocodylian (e.g., crocodiles, alligators, caimans);

4. elasmobranchii (e.g., sharks, rays, skates);
5. Felidae, excluding domestic cats (e.g., lions, tigers, cheetah);
6. marsupialia (e.g., kangaroos, wombats, opossums);
7. nonhuman primates (e.g., apes, monkeys, lemurs);
8. perissodactyla, excluding domestic horses, ponies, donkeys, and mules (e.g., zebras);
9. pinnipedia (e.g., seals, sea lions, walruses);
10. probocidea (e.g., elephants);
11. ratites (e.g., ostrich, emu);
12. spheniscidae (i.e., penguins); or
13. Ursidae (i.e., bears).

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 23 Nay 8 (03/29/2022)