



House of Representatives

General Assembly

File No. 470

February Session, 2022

Substitute House Bill No. 5293

House of Representatives, April 13, 2022

The Committee on Environment reported through REP. GRESKO of the 121st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2022*) (a) No person shall cause a
2 performance of or allow for the participation of an exotic or wild animal
3 in a traveling animal act. The provisions of this subsection shall not be
4 construed to apply to: (1) An exhibition at a nonmobile, permanent
5 wildlife sanctuary or institution, facility, zoo or aquarium accredited by
6 the Association of Zoos and Aquariums or the Global Federation of
7 Animal Sanctuaries; (2) any environmental education program
8 administered by any entity (A) accredited by the Association of Zoos
9 and Aquariums, (B) engaged in falconry in accordance with the
10 provisions of section 26-67e of the general statutes, or (C) permitted by
11 the Department of Energy and Environmental Protection pursuant to
12 any provision of the general statutes, provided any animal used for such
13 purpose pursuant to this subdivision shall not be used for more than six
14 months in any year for such purpose and shall not be kept in a mobile

15 or traveling housing facility for more than twelve hours of any day; and
16 (3) any university, college, laboratory or other research facility that
17 holds a class C exhibitor's license issued by the United States
18 Department of Agriculture pursuant to 7 USC 54 and that possesses its
19 most recent inspection report from the United States Department of
20 Agriculture.

21 (b) Any person who wilfully violates any provision of this section
22 shall be guilty of a class C misdemeanor.

23 (c) For the purposes of this section, (1) "cause a performance" means
24 to be responsible for a performance or to financially benefit as the
25 owner, operator or sponsor of a performance; (2) "environmental
26 education program" means any animal exhibition that is professionally
27 designed to impart knowledge or information for educational or
28 conservation purposes about an animal's behavior, habitat or life cycle
29 and that is conducted by an individual who is qualified to impart such
30 knowledge and which does not include any performance of a behavior
31 by such animal that does not occur in such animal's wild state; (3) "exotic
32 or wild animal" means any Canidae other than a domestic dog,
33 cetartiodactyla, crocodilian, elasmobranchii, Felidae other than a
34 domestic cat, marsupialia, nonhuman primates, perissodactyla other
35 than a domestic horse, pony, donkey or mule, pinnipedia, probocidea,
36 ratites, spheniscidae or Ursidae; (4) "mobile or traveling housing
37 facility" means any transporting vehicle such as a truck, car, trailer,
38 airplane, ship or railway car that is used to transport or house animals
39 while traveling to, from or between locations for performance purposes;
40 (5) "performance" means any circus, carnival, display, exhibition,
41 exposition, fair, fight, parade, petting zoo, race, ride or trade show
42 where an exotic or wild animal performs tricks, gives rides or
43 accompanies any person engaged in amusement or entertainment for an
44 audience; (6) "traveling animal act" means any performance of exotic or
45 wild animals where such animals are transported to, from or between
46 locations in a mobile or traveling housing facility for the purposes of
47 such performance; and (7) "wildlife sanctuary" means any organization
48 that is recognized as a wildlife sanctuary under the Internal Revenue

49 Code for the care of abused, neglected or displaced exotic or wild
50 animals and that does not engage in the commercial trade of any exotic
51 or wild animal or exotic or wild animal part or conduct entertainment
52 or interaction events for the public and that does not breed such exotic
53 or wild animals.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	New section

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill creates a new crime of prohibiting certain exotic or wild animals in travel animal acts and, to the extent that violators are fined, results in potential revenue gain to the state from fines.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to violations.

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. crocodilian (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)