

SB0154



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB0154

Introduced 1/29/2019, by Sen. Linda Holmes

SYNOPSIS AS INTRODUCED:

720 ILCS 5/48-11

Amends the Criminal Code of 2012. Provides that a person commits unlawful use of an animal (currently, this provision only covers elephants) in a traveling animal act when he or she knowingly allows for the participation of an animal in a traveling animal act. Unlawful use of an animal in a traveling animal act is a Class A misdemeanor. Defines "animal". Effective July 1, 2019.

LRB101 07174 SLF 52212 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

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

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

6 (720 ILCS 5/48-11)

7 Sec. 48-11. Unlawful use of an animal ~~elephant~~ in a
8 traveling animal act.

9 (a) Definitions. As used in this Section:

10 "Animal" means any of the following including a hybrid
11 thereof:

12 (1) bear;

13 (2) cougar;

14 (3) elephant;

15 (4) giraffe;

16 (5) grey kangaroo;

17 (6) hippopotamus;

18 (7) jaguar;

19 (8) leopard, excluding a clouded leopard;

20 (9) lion;

21 (10) non-human primate;

22 (11) red kangaroo;

23 (12) rhinoceros;

- 1 (13) tapir;
2 (14) tiger; or
3 (15) zebra.

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

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

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

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

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

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

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

4 Section 99. Effective date. This Act takes effect July 1,
5 2019.