

AN ACT concerning wildlife.

**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 adding Section 48-11 as follows:

(720 ILCS 5/48-11 new)

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

(a) Definitions. As used in this Section:

"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 elephant in a traveling animal act when he or she knowingly allows for the participation of an 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 elephants at a non-mobile, permanent institution, or other facility.

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