

HB3972



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3972

Introduced 3/4/2021, by Rep. Joyce Mason

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, 2021.

LRB102 04254 RLC 14272 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
5 changing 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) jaguar;

16 (5) leopard, excluding a clouded leopard;

17 (6) lion;

18 (7) non-human primate; or

19 (8) tiger.

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

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

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

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

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

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

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

23 Section 99. Effective date. This Act takes effect July 1,
24 2021.