

HOUSE BILL 379

M1

(4lr1228)

ENROLLED BILL

— *Environment and Transportation/Education, Energy, and the Environment* —

Introduced by **Delegates Love, Lehman, Allen, Feldmark, Guyton, Kaufman, R. Lewis, Palakovich Carr, Ruth, Solomon, Stein, Stewart, ~~and Terrasa, Terrasa, Foley, and Ziegler~~**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Wildlife – Traveling Animal Acts – Prohibition**

3 FOR the purpose of prohibiting a person from allowing for the participation of certain
4 animals in a certain traveling animal act; and generally relating to wildlife and
5 traveling animal acts.

6 BY adding to

7 Article – Natural Resources

8 Section 10–2C–01 and 10–2C–02 to be under the new subtitle “Subtitle 2C. Traveling
9 Animal Acts”

10 Annotated Code of Maryland

11 (2023 Replacement Volume and 2023 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, without amendments,
2 Article – Natural Resources
3 Section 10–1101(b)
4 Annotated Code of Maryland
5 (2023 Replacement Volume and 2023 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article – Natural Resources
8 Section 10–1101(e)
9 Annotated Code of Maryland
10 (2023 Replacement Volume and 2023 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Natural Resources**

14 **SUBTITLE 2C. TRAVELING ANIMAL ACTS.**

15 **10–2C–01.**

16 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
17 **INDICATED.**

18 **(B) (1) “COVERED ANIMAL” MEANS ANY OF THE FOLLOWING ANIMALS:**

19 **(I) BEAR;**

20 **(II) COUGAR;**

21 **(III) ELEPHANT;**

22 **(IV) JAGUAR;**

23 **(V) LEOPARD, ~~EXCLUDING CLOUDED LEOPARD;~~**

24 **(VI) LION;**

25 **(VII) NONHUMAN PRIMATE; OR**

26 **(VIII) TIGER.**

27 **(2) “COVERED ANIMAL” INCLUDES A HYBRID OF AN ANIMAL LISTED**
28 **UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

1 (C) "MOBILE OR TRAVELING HOUSING FACILITY" MEANS A TRANSPORTING
2 VEHICLE, INCLUDING A TRUCK, TRAILER, OR RAILWAY CAR, USED TO TRANSPORT
3 OR HOUSE ANIMALS WHILE TRAVELING FOR AN EXHIBITION OR OTHER
4 PERFORMANCE.

5 (D) "PERFORMANCE" MEANS ANY EXHIBITION, PUBLIC SHOWING,
6 PRESENTATION, DISPLAY, EXPOSITION, FAIR, ANIMAL ACT, CIRCUS, RIDE, TRADE
7 SHOW, PETTING ZOO, CARNIVAL, PARADE, RACE, OR SIMILAR UNDERTAKING IN
8 WHICH ANIMALS ARE REQUIRED TO PERFORM TRICKS, GIVE RIDES, OR PARTICIPATE
9 AS ACCOMPANIMENTS FOR THE ENTERTAINMENT, AMUSEMENT, OR BENEFIT OF A
10 LIVE AUDIENCE.

11 (E) "TRAVELING ANIMAL ACT" MEANS ANY PERFORMANCE OF ANIMALS FOR
12 WHICH THE ANIMALS ARE TRANSPORTED IN A MOBILE OR TRAVELING HOUSING
13 FACILITY TO, FROM, OR BETWEEN LOCATIONS FOR THE PURPOSE OF THE
14 PERFORMANCE.

15 10-2C-02.

16 (A) THIS SECTION DOES NOT APPLY TO A PERFORMANCE THAT TAKES
17 PLACE AT A NONMOBILE, PERMANENT INSTITUTION OR OTHER FIXED FACILITY,
18 PROVIDED THAT THE COVERED ANIMAL IS NOT TRANSPORTED TO THE INSTITUTION
19 OR FACILITY FOR A PERIOD OF LESS THAN 60 DAYS FOR THE SOLE PURPOSE OF A
20 PERFORMANCE.

21 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON MAY
22 NOT ALLOW FOR THE PERFORMANCE OF A COVERED ANIMAL IN A TRAVELING
23 ANIMAL ACT.

24 (C) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL
25 PENALTY NOT TO EXCEED \$2,000 PER VIOLATION.

26 (D) THE PROVISIONS OF THIS SECTION MAY BE ENFORCED BY:

27 (1) A STATE OR LOCAL LAW ENFORCEMENT OFFICER; OR

28 (2) ~~AN OFFICER OR AGENT OF THE DEPARTMENT; OR~~

29 ~~(3)~~ THE LOCAL ANIMAL CONTROL AUTHORITY FOR THE
30 JURISDICTION WHERE THE VIOLATION OCCURS.

31 10-1101.

1 (b) Any person who violates any provision of this title is guilty of a misdemeanor.
2 Unless another penalty is specifically provided elsewhere in this title, the person, upon
3 conviction, is subject to a fine not exceeding \$1,500, with costs imposed in the discretion of
4 the court.

5 (e) This section does not apply to a violation of **§ 10-2C-02 OR § 10-424(2)** of
6 this title.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed
8 to preempt or prevail over any ordinance, resolution, law, or rule more stringent than this
9 Act.

10 SECTION 3. AND BE IT FURTHER ENACTED, That, if any provision of this Act or
11 the application thereof to any person or circumstance is held invalid for any reason in a
12 court of competent jurisdiction, the invalidity does not affect other provisions or any other
13 application of this Act that can be given effect without the invalid provision or application,
14 and for this purpose the provisions of this Act are declared severable.

15 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.