

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 1195 (Delegates R. Baker and Marriott)
Judiciary

Crimes - Cruelty to Animals - Elephants

This bill prohibits a person from using a technique or tool of negative reinforcement on an elephant such as whips, electric prods, shocking devices, and bull-hooks as part of a “traveling exhibition.” The bill also prohibits the provision of elephant rides to members of the general public. A violator is guilty of a misdemeanor and subject to a fine of up to \$1,000 and/or imprisonment for up to 90 days.

Traveling exhibition is defined as any entertainment act, circus, public show, trade show, photographic opportunity, carnival ride, parade, petting zoo, race, performance, or similar undertaking that:

- requires elephants to perform, fight, or participate in performances before an audience; and
- the owner, manager, promoter, or operator of which has no permanent legal residence in the State or remains at any one location in the State fewer than 60 days.

Fiscal Summary

State Effect: The bill’s criminal penalty provisions would not materially affect State operations or finances.

Local Effect: Enforcement could be handled with existing resources.

Small Business Effect: Minimal.

Analysis

Current Law: Elephants are covered by the various animal cruelty laws.

Background: There have been approximately 30 incidences worldwide of an elephant injuring or killing a person in the last four years. Some of these incidents are attributed to the training the elephants are given.

Additional Information

Prior Introductions: Similar bills were introduced as HB 1030 in 1998, HB 928 in 1999, and HB 1030 in 2000. All three received unfavorable reports from the House Judiciary Committee.

Cross File: None.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader – March 13, 2001
jm/cer

Analysis by: Brian D. Baugus

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510