

Chapter 597

(House Bill 379)

AN ACT concerning

Wildlife – Traveling Animal Acts – Prohibition

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

BY adding to

Article – Natural Resources

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

Annotated Code of Maryland

(2023 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 10–1101(b)

Annotated Code of Maryland

(2023 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–1101(e)

Annotated Code of Maryland

(2023 Replacement Volume and 2023 Supplement)

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

Article – Natural Resources

SUBTITLE 2C. TRAVELING ANIMAL ACTS.

10–2C–01.

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

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

(i) BEAR;

- (II) COUGAR;
- (III) ELEPHANT;
- (IV) JAGUAR;
- (V) LEOPARD, ~~EXCLUDING CLOUDED LEOPARD~~;
- (VI) LION;
- (VII) NONHUMAN PRIMATE; OR
- (VIII) TIGER.

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

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

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

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

10-2C-02.

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

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

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

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

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

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

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

10-1101.

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

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

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

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

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

Approved by the Governor, May 9, 2024.