

HOUSE BILL 379

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4lr1228
CF SB 547

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

Introduced and read first time: January 17, 2024
Assigned to: Environment and Transportation

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 23, 2024

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)

12 BY repealing and reenacting, without amendments,

13 Article – Natural Resources

14 Section 10–1101(b)

15 Annotated Code of Maryland

16 (2023 Replacement Volume and 2023 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Natural Resources

19 Section 10–1101(e)

20 Annotated Code of Maryland

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.



(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

1 AS ACCOMPANIMENTS FOR THE ENTERTAINMENT, AMUSEMENT, OR BENEFIT OF A
2 LIVE AUDIENCE.

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

7 10-2C-02.

8 (A) THIS SECTION DOES NOT APPLY TO A PERFORMANCE THAT TAKES
9 PLACE AT A NONMOBILE, PERMANENT INSTITUTION OR OTHER FIXED FACILITY,
10 PROVIDED THAT THE COVERED ANIMAL IS NOT TRANSPORTED TO THE INSTITUTION
11 OR FACILITY FOR THE SOLE PURPOSE OF A PERFORMANCE.

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

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

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

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

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

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

22 10-1101.

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

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

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

HOUSE BILL 379

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.