

SENATE BILL 547

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4lr2583
CF HB 379

By: **Senators Elfreth, Feldman, Hettleman, Jackson, Lewis Young, and West**

Introduced and read first time: January 25, 2024

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 18, 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

21 (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.



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

3 **Article – Natural Resources**

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

5 **10-2C-01.**

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

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

9 (I) BEAR;

10 (II) COUGAR;

11 (III) ELEPHANT;

12 (IV) JAGUAR;

13 (V) LEOPARD, ~~EXCLUDING CLOUDED LEOPARD;~~

14 (VI) LION;

15 (VII) NONHUMAN PRIMATE; OR

16 (VIII) TIGER.

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

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

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

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

5 10-2C-02.

6 (A) THIS SECTION DOES NOT APPLY TO A:

7 ~~(1) A~~ PERFORMANCE THAT TAKES PLACE AT A NONMOBILE,
8 PERMANENT INSTITUTION OR OTHER FIXED FACILITY, PROVIDED THAT THE
9 COVERED ANIMAL IS NOT TRANSPORTED TO THE INSTITUTION OR FACILITY FOR THE
10 SOLE PURPOSE OF A PERFORMANCE; ~~OR~~

11 ~~(2) THE TRANSPORT OF A CLOUDED LEOPARD TO A LOCATION FOR~~
12 ~~THE SOLE PURPOSE OF PROVIDING PUBLIC EDUCATION ABOUT THE SPECIES OR~~
13 ~~CONSERVATION.~~

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

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

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

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

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

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

24 10-1101.

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

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.