



MODEL LEGISLATION



Bill No. _____

AN ACT Relating to the Display of Wild and Exotic Animals for Public Entertainment

SECTION I. Intent

It is the intent of the state of _____ to protect the public against hazards that wild and exotic animals used in entertainment pose to society and to protect wild and exotic animals from cruel and inhumane treatment.

SECTION II. Definitions

For the purpose of this chapter only, the following words and terms shall be deemed to mean and to be construed as follows:

A. “Display” means to undertake any exhibition, act, circus, ride, trade show, carnival, parade, race, photographic opportunity, performance or similar undertaking in which animals are required to perform tricks, fight, or participate as accompaniments in performances for the amusement or benefit of an audience.

B “Displayed” means to be the subject thereof

C. “Exhibition” means a public showing, presenting to view, a public display, an exposition, or a large fair of extended duration.

D. “Person” means any individual, establishment, firm, association, organization, partnership, trust, corporation or company.

E. “Wild or exotic animal” means any or all of the following orders and families, whether bred in the wild or in captivity, and also any or all of their hybrids with domestic species. The animals listed in parentheses are intended to act as examples and are not to be construed as an exhaustive list or limit the generality of each group of animals, unless otherwise specified:

1. Non-human primates and prosimians (chimpanzees, monkeys)
2. Felidae (except domesticated cats)
3. Ursidae (bears)
4. Proboscidae (elephants)
5. Crocodylia (alligators, crocodiles)
6. Artiodactyla (hippopotamuses, giraffes, camels, not cattle or swine or sheep or goats)
7. Struthioniformes (ostriches)
8. Casuariiformes (emus)

F. "Wildlife sanctuary" means a 501(c)(3) organization described in Section 170(b)(1)(A)(vi), Internal Revenue Code 1986, and its subsequent amendments where:

1. No commercial trade in animals occurs (including, but not limited to, sale of animals, animal parts, by-products, offspring, photographic opportunities or public events for financial profit, or any other entertainment purposes),
2. No propagation of animals occurs in the facility, and
3. No unescorted public visitation is allowed; no direct contact between the public and wild animals is allowed; animals are not taken from the sanctuary or enclosures for exhibition.

SECTION III Display of Wild or Exotic Animals Prohibited

It shall be unlawful for any person to conduct or operate a display of wild or exotic animals within the state.

SECTION IV Enforcement

Police officers, humane investigators, and the animal control officers shall have the power and authority to enforce the provisions of this chapter and perform all duties imposed by the provisions of this chapter.

SECTION V Penalty

Any person, firm, or corporation violating this section shall be fined not more than \$5000.00 dollars per animal per display or be imprisoned not more than one year, or both.

SECTION VI Exceptions

The following are exempt from the provisions of this chapter:

1. Institutions accredited by the American Zoo and Aquarium Association,
2. Any wildlife sanctuary as defined in this chapter.