

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by
5 changing Section 48-11 as follows:

6 (720 ILCS 5/48-11)

7 Sec. 48-11. Unlawful use of a covered animal ~~an elephant~~
8 in a traveling animal act.

9 (a) Definitions. As used in this Section:

10 "Covered animal" means any of the following animals, and
11 hybrids of those animals:

12 (1) cougar (puma concolor);

13 (2) elephantidae;

14 (3) jaguar (panthera onca);

15 (4) leopard (panthera pardus), excluding Amur leopard
16 (panthera pardus orientalis);

17 (5) lion (panthera leo);

18 (6) non-human primate;

19 (7) tiger (panthera tigris); or

20 (8) ursidae.

21 "Mobile or traveling animal housing facility" means a
22 transporting vehicle such as a truck, trailer, or railway car
23 used to transport or house animals while traveling to an

1 exhibition or other performance.

2 "Performance" means an exhibition, public showing,
3 presentation, display, exposition, fair, animal act, circus,
4 ride, trade show, petting zoo, carnival, parade, race, or
5 other similar undertaking in which animals are required to
6 perform tricks, give rides, or participate as accompaniments
7 for entertainment, amusement, or benefit of a live audience.

8 "Traveling animal act" means any performance of animals
9 where animals are transported to, from, or between locations
10 for the purpose of a performance in a mobile or traveling
11 animal housing facility.

12 (b) A person commits unlawful use of a covered animal ~~an~~
13 ~~elephant~~ in a traveling animal act when he or she knowingly
14 allows for the participation of a covered animal ~~an African~~
15 ~~elephant (Loxodonta africana) or Asian elephant (Elephas~~
16 ~~maximus) protected under the federal Endangered Species Act of~~
17 ~~1973~~ in a traveling animal act.

18 (c) This Section does not apply to a performance of a
19 covered animal that: (1) takes place ~~an exhibition of~~
20 ~~elephants~~ at a non-mobile, permanent institution, or other
21 fixed facility licensed by the United States Department of
22 Agriculture; and (2) is conducted by the non-mobile, permanent
23 institution, or fixed facility.

24 (d) Sentence. Unlawful use of a covered animal ~~an elephant~~
25 in a traveling animal act is a Class A misdemeanor.

26 (e) The provisions of this amendatory Act of the 104th

1 General Assembly are in addition to, and not in lieu of, any
2 other laws protecting animal welfare. This Section may not be
3 construed to limit any State law or rules protecting the
4 welfare of animals or to prevent a unit of local government
5 from adopting and enforcing its own animal welfare ordinances
6 and regulations.

7 (Source: P.A. 100-90, eff. 1-1-18.)

8 Section 97. Severability. The provisions of this Act are
9 severable under Section 1.31 of the Statute on Statutes.

10 Section 99. Effective date. This Act takes effect July 1,
11 2026.