



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2747

Introduced 1/13/2026, by Sen. Linda Holmes

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/48-11

Amends the Criminal Code of 2012. Provides that a person commits unlawful use of a covered animal (rather than an elephant) in a traveling animal act when he or she knowingly allows for the participation of a covered animal (rather than an African elephant (*Loxodonta africana*) or Asian elephant (*Elephas maximus*) protected under the federal Endangered Species Act of 1973) in a traveling animal act. Provides that the provision does not apply to a performance of covered animals (rather than an exhibition of elephants) at a non-mobile, permanent institution, or other fixed facility, if the covered animal is not transported to such location for the purpose of such performance. Provides that unlawful use of a covered animal in a traveling animal act is a Class A misdemeanor. Provides that the provisions are in addition to, and not in lieu of, any other laws protecting animal welfare. Provides that the provision may not be construed to limit any State law or rules protecting the welfare of animals or to prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations. Defines "covered animal" to mean: (1) elephantidae; (2) felidae, but excluding a domestic cat; (3) non-human primate; and (4) ursidae, or any of their hybrids. Contains a severability provision. Effective July 1, 2026.

LRB104 16336 RLC 29723 b

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 thereof:

12 (1) elephantidae;

13 (2) felidae, but excluding a domestic cat;

14 (3) non-human primate; and

15 (4) ursidae.

16 "Mobile or traveling animal housing facility" means a  
17 transporting vehicle such as a truck, trailer, or railway car  
18 used to transport or house animals while traveling to an  
19 exhibition or other performance.

20 "Performance" means an exhibition, public showing,  
21 presentation, display, exposition, fair, animal act, circus,  
22 ride, trade show, petting zoo, carnival, parade, race, or  
23 other similar undertaking in which animals are required to

1 perform tricks, give rides, or participate as accompaniments  
2 for entertainment, amusement, or benefit of a live audience.

3 "Traveling animal act" means any performance of animals  
4 where animals are transported to, from, or between locations  
5 for the purpose of a performance in a mobile or traveling  
6 animal housing facility.

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

13 (c) This Section does not apply to a performance of  
14 covered animals ~~an exhibition of elephants~~ at a non-mobile,  
15 permanent institution, or other fixed facility, if the covered  
16 animal is not transported to such location for the purpose of  
17 such performance.

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

20 (e) The provisions of this Section are in addition to, and  
21 not in lieu of, any other laws protecting animal welfare. This  
22 Section may not be construed to limit any State law or rules  
23 protecting the welfare of animals or to prevent a local  
24 governing body from adopting and enforcing its own animal  
25 welfare laws and regulations.

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

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

3           Section 99. Effective date. This Act takes effect July 1,  
4 2026.