

# HB3889



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3889

Introduced 2/22/2021, by Rep. Camille Y. Lilly

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/48-11

Amends the Criminal Code of 2012. Provides that a person commits unlawful use of an exotic animal in a traveling animal act when he or she knowingly allows for the participation of an exotic animal (rather than an elephant) in a traveling animal act. This offense is a Class A misdemeanor. Defines "exotic animal".

LRB102 14076 KMF 19428 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

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 an exotic animal ~~elephant~~ in a  
8 traveling animal act.

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

10 "Exotic animal" means any animal that is native to a  
11 foreign country or of foreign origin or character, is not  
12 native to the United States, or was introduced from abroad  
13 including, but not limited to, lions, tigers, leopards,  
14 elephants, camels, antelope, anteaters, kangaroos, and water  
15 buffalo and species of foreign domestic cattle, such as  
16 Ankole, Gayal, and Yak or a wild animal.

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

21 "Performance" means an exhibition, public showing,  
22 presentation, display, exposition, fair, animal act, circus,  
23 ride, trade show, petting zoo, carnival, parade, race, or

1 other similar undertaking in which animals are required to  
2 perform tricks, give rides, or participate as accompaniments  
3 for entertainment, amusement, or benefit of a live audience.

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

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

14 (c) This Section does not apply to an exhibition of exotic  
15 animals ~~elephants~~ at a non-mobile, permanent institution, or  
16 other facility.

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

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