

2014 -- H 7192

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY

Introduced By: Representatives Gallison, Serpa, Shekarchi, Casey, and Fellela

Date Introduced: January 23, 2014

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 4-1 of the General Laws entitled "Cruelty to Animals" is hereby
2 amended by adding thereto the following section:

3 **4-1-42. Humane treatment of elephants.** – (a) As used in this section, the following
4 terms shall have the following meanings:

5 (1) "Circus" means a class C licensee under the Animal Welfare Act, 7 U. S. C. 2131 et
6 seq., and its subsequent amendments, regulations and standards adopted pursuant to the act, that
7 offers a performance by a live animal, clown or acrobat.

8 (2) "Implement or device" includes a bull hook, ankus, guide, pitchfork, or other similar
9 tool that is: (i) Designed, used, purchased, or constructed to train, manage, or control the behavior
10 of an elephant by poking, striking, hitting, stabbing, piercing, pinching, or otherwise physically
11 contacting an elephant; and (ii) May reasonably result in harm to the elephant, including, but not
12 limited to, the damage, scarring or breakage of an elephant's skin.

13 (3) "Person" means an individual, partnership, corporation, organization, trade or
14 professional association, firm, limited liability company, joint venture, association, trust, estate,
15 or any other legal entity, and any agent, or representative thereof.

16 (4) "Traveling show" means a circus, public show, trade show, photographic opportunity,
17 carnival, city or county fair, agricultural fair, ride, parade, race, performance or a similar
18 undertaking that involves transporting elephants from location to location or otherwise moves
19 elephants away from a place of permanent residency for performance purposes. This does not

1 include the transportation of an elephant for the purpose of obtaining required medical services
2 for the elephant or for the exchange of an elephant between nonprofit United States Department
3 of Agriculture licensed sanctuaries for the purpose of providing lifetime care.

4 (b) It shall be unlawful for any person who houses, possesses, is in direct contact with, or
5 travels with any elephant utilized in a traveling show within Rhode Island to:

6 (1) Use any implement or device, as defined in this section;

7 (2) Possess any implement or device, as defined in this section;

8 (3) Use a chain, rope, or similar device to restrain an elephant, except if utilized by a
9 licensed veterinarian or primary caregiver to provide required medical treatment. Any restraint
10 over two (2) hours in a twenty-four (24) hour period must be approved in writing by a licensed
11 veterinarian.

12 (c) Whoever violates this section shall be fined not more than five thousand dollars
13 (\$5,000) per violation or imprisoned for not more than one year, or both.

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would specifically regulate the treatment of captive elephants and would make
- 2 the inhumane treatment of elephants a felony.
- 3 This act would take effect upon passage.

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