

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1444 Session of
2014

INTRODUCED BY LEACH, STACK, FERLO, BOSCOLA, ERICKSON, FONTANA,
VULAKOVICH, HUGHES, GREENLEAF, ALLOWAY AND RAFFERTY,
JUNE 24, 2014

REFERRED TO JUDICIARY, JUNE 24, 2014

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in riot, disorderly conduct and
3 related offenses, providing for the offense of unlawful
4 treatment of elephants.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 5511.4. Unlawful treatment of elephant.

10 (a) Offense defined.--It shall be unlawful for any person
11 who houses, possesses, is in contact with or travels with an
12 elephant utilized in a circus or traveling show within this
13 Commonwealth to engage in any of the following:

14 (1) Use of any implement on an elephant that may
15 reasonably result in harm to the elephant, including, but not
16 limited to, the damage, scarring or breakage of an elephant's
17 skin.

18 (2) Possession of any implement or device that may

1 reasonably result in harm, damage, scarring or breakage of
2 skin to an elephant.

3 (3) Use of a chain or similar device to restrain an
4 elephant, except if utilized for the shortest amount of time
5 necessary to provide actual medical treatment.

6 (b) Grading.--A person who violates this section commits a
7 misdemeanor of the second degree.

8 (c) Definitions.--The following words and phrases when used
9 in this section shall have the meanings given to them in this
10 subsection unless the context clearly indicates otherwise:

11 "Circus." A Class C licensee under the Animal Welfare Act
12 (Public Law 89-544, 7 U.S.C. § 2131 et seq.), and the
13 regulations and standards adopted pursuant to that act, that
14 offers a performance by a live animal, clown or acrobat.

15 "Implement." An implement or device that is used, purchased,
16 contrived for or constructed for the purpose of poking,
17 striking, hitting, stabbing, piercing, pinching or other
18 physical contact of an elephant. The term includes, but is not
19 limited to, a bullhook, ankus or other similar device.

20 "Traveling show." A circus, public show, trade show,
21 photographic opportunity, carnival, city or county fair,
22 agricultural fair, ride, parade, race, performance or a similar
23 undertaking in which elephants do not permanently reside or that
24 moves elephants from location to location, but not including the
25 transportation of an elephant for the purpose of obtaining
26 required medical services for an elephant or for the exchange of
27 an elephant between sanctuaries.

28 Section 2. This act shall take effect in 60 days.