

HOUSE No. 4915

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 25, 2024.

The committee on Ways and Means, to whom was referred the Bill relative to the use of elephants, big cats, primates, giraffes, and bears in traveling exhibits and shows (House, No. 3245), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4915).

For the committee,

AARON MICHLEWITZ.

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to the use of elephants, big cats, primates, giraffes and bears in traveling exhibits and shows.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 131 of the General Laws is hereby amended by inserting after
2 section 19B the following section:-

3 Section 19C. (a) The following words shall, unless the context clearly requires otherwise,
4 have the following meanings:

5 “Covered animal,” any of the following animals and hybrids thereof: (i) elephantidae; (ii)
6 lions (*panthera leo*), tigers (*panthera tigris*), leopards (*panthera pardus*), clouded leopards
7 (*neofelis nebulosa* and *neofelis diardi*), snow leopards (*panthera uncia*), jaguars (*panthera onca*),
8 cheetahs (*acinonyx jubatus*), mountain lions (*puma concolor*); (iii) non-human primates; (iv)
9 ursidae; and (v) giraffidae.

10 “Mobile or traveling housing facility,” any vehicle used to transport or house covered
11 animals while traveling for a performance, including, but not limited to, trucks, trailers or
12 railway cars.

13 “Performance,” any presentation, exposition, fair, animal act, circus, ride, trade show,
14 petting zoo, carnival, parade, race or similar undertaking in which a covered animal is required to
15 perform tricks, give rides or participate as an accompaniment for the entertainment, amusement
16 or benefit of a live audience.

17 “Resident animal”, an animal owned, leased or loaned and otherwise exclusively housed
18 at a non-mobile, permanent institution or other fixed facility.

19 “Traveling animal act,” any performance where a covered animal is transported to, from
20 or between locations for the purpose of the performance, in a mobile or traveling housing
21 facility.

22 (b) To the extent that such activity is not prohibited by section 77B of chapter 272, no
23 person shall allow for or cause the participation of a covered animal in a traveling animal act.

24 (c) This section shall not apply: (i) to a performance that takes place at a non-mobile,
25 permanent institution or other fixed facility if the covered animal is a resident animal at the same
26 facility in which the performance takes place; (ii) during the filming of a motion picture by a
27 motion picture production company, as defined in section 38X of chapter 63, that has obtained
28 any permits required by law, if the use does not involve a live public animal exhibition; (iii) to
29 the transport of a covered animal for the purpose of veterinary care under the direct supervision
30 of a licensed veterinarian, including, but not limited to, examination, testing, individual treatment
31 or operation; or (iv) to the transport of a covered animal from 1 non-mobile, permanent
32 institution or other fixed facility to another for purposes of becoming a resident animal.

33 (d) Any person who violates this chapter shall be subject to a civil penalty of not less than
34 \$500 and not more than \$10,000, per animal involved in the violation.

35 (e) Any officer or agent authorized by the executive office of energy and environmental
36 affairs, law enforcement officer of the commonwealth or law enforcement officer of any unit of
37 local government may enforce this section.

38 (f) The director of the division of fisheries and wildlife may adopt rules necessary for the
39 administration and implementation of this section.

40 SECTION 2. This act shall take effect on January 1, 2025.