

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

**H.B. 594**  
**Apr 19, 2021**  
**HOUSE PRINCIPAL CLERK**

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HOUSE BILL DRH40370-MH-122

Short Title: Traveling Animals/Pub. Safety Protection Act. (Public)

Sponsors: Representative Ball.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ENACT THE TRAVELING ANIMAL AND PUBLIC SAFETY PROTECTION  
3 ACT.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** This act shall be known and may be cited as the "Traveling Animal  
6 and Public Safety Protection Act."

7 **SECTION 2.** Findings. – The General Assembly finds all of the following:

- 8 (1) The protection of exotic and wild animals, and the health and safety of workers  
9 and the public, are matters of statewide concern.
- 10 (2) Conditions inherent to traveling exotic and wild animal acts, including  
11 temporary, collapsible facilities, proximity to the public, constant travel, and  
12 prolonged confinement and physical coercion of animals, subject exotic and  
13 wild animals to compromised welfare and chronic stress, resulting in animal  
14 disease, the spread of zoonotic disease, and animal escape, which present  
15 health, welfare, and safety risks not adequately addressed by current  
16 regulation.
- 17 (3) Current regulatory oversight of traveling exotic and wild animal acts is  
18 complex and costly, and these costs are not typically recouped via licensing  
19 fees, but instead are left to be borne by the taxpayers.
- 20 (4) The frequent mobility of traveling exotic and wild animal acts complicates  
21 oversight, such that agencies and authorities cannot properly monitor,  
22 evaluate, or follow through regarding the condition of animals or facilities;  
23 their history of potential injuries, incidents, illnesses, violations; or other  
24 issues, and so cannot properly protect animals, workers, or the public.
- 25 (5) Traveling exotic and wild animal acts use collapsible, temporary, mobile  
26 facilities, which risk escape and serious harm to animals, workers, and the  
27 public.
- 28 (6) Traveling exotic and wild animal acts present health and safety risks by  
29 permitting or not preventing public contact and by displaying animals in  
30 inappropriate, uncontrolled areas in dangerous proximity to humans and other  
31 animals.
- 32 (7) Exotic and wild animals have intrinsic value. Their wild instincts and needs  
33 are unpredictable and not naturally suited to the standard business model and  
34 practices for traveling acts. Animals suffer when unable to fulfill instinctive,  
35 natural behaviors.



- 1 (8) Exotic and wild animals used in traveling acts suffer severe and extended  
2 confinement, and, deprived of natural movements and behaviors, are prone to  
3 chronic stress and behavioral, health, and psychological problems.
- 4 (9) Exotic and wild animals are forced to perform unnatural tricks requiring  
5 extreme physical coercion, including, but not limited to, the use of food and  
6 water restrictions, extended confinement, chaining, and abuse with electric  
7 shock devices, bullhooks, metal bars, whips, shovels, and pitchforks, among  
8 others.
- 9 (10) It is not necessary to use exotic and wild animals in traveling acts to  
10 experience the circus or similar events.
- 11 (11) Using exotic and wild animals as commodities traded for traveling  
12 performances adds nothing to the understanding and conservation of such  
13 animals or their natural environment and actually undermines conservation  
14 efforts necessary to protect threatened and endangered species.
- 15 (12) The exploitation and trade of wildlife is a primary driver of biodiversity loss  
16 and disease emergence.
- 17 (13) It is not possible to ensure health and safety for the public and workers or  
18 appropriate physical and mental welfare for exotic and wild animals under this  
19 business model, which inherently and significantly restricts animals' natural  
20 movements and behaviors, and which has a prevalence of abuse and  
21 problematic oversight.
- 22 (14) Restricting the use of exotic and wild animals in traveling acts is the most  
23 cost-effective and efficient way to safeguard the public, workers, and the  
24 animals.

25 **SECTION 3.** Chapter 19A of the General Statutes is amended by adding a new  
26 Article to read:

27 "Article 2A.

28 "Use of Exotic or Wild Animals in Traveling Acts.

29 **"§ 19A-15. Exotic or wild animal performances prohibited.**

30 (a) Prohibition. – No person shall cause a performance of, or allow for the participation  
31 of, an exotic or wild animal in a traveling animal act.

32 (b) Exceptions. – This section shall not apply to the following:

33 (1) The use of an exotic or wild animal in any of the following:

34 a. An exhibition at a nonmobile, permanent institution, facility, zoo, or  
35 aquarium accredited by the Association of Zoos & Aquariums, the  
36 World Association of Zoos and Aquariums, or the Global Federation  
37 of Animal Sanctuaries.

38 b. An exhibition at a wildlife sanctuary.

39 c. An environmental education program conducted by or under the direct  
40 supervision of a person accredited by the Association of Zoos &  
41 Aquariums or the World Association of Zoos and Aquariums, if the  
42 animal used for such purposes is not kept in a mobile housing facility  
43 for more than 12 hours in any day.

44 d. A research or educational program conducted by a university, college,  
45 laboratory, or other research facility properly licensed or registered  
46 under 7 U.S.C. § 2131, et seq., as amended, for research or education  
47 purposes.

48 (2) The use of animals that are indigenous to the State in an environmental  
49 education program by a person licensed or permitted by the Wildlife  
50 Resources Commission under G.S. 113-272.5 or G.S. 113-274 if the animals

- 1                    used in the program are not kept in a mobile housing facility for more than 12  
2                    hours in any day.
- 3        (c)    Definitions. – The following definitions apply in this Article:
- 4                    (1)    Cause a performance. – To provide, arrange for, sponsor, or obtain financial  
5                    benefit from the use of an exotic or wild animal in a traveling animal act.
- 6                    (2)    Environmental education program. – A program which includes an exotic or  
7                    wild animal, which is professionally designed to impart knowledge or  
8                    information to the public for educational or conservation purposes about that  
9                    animal's natural behavior, habitat, life cycle, or similar pedagogical  
10                   information, conducted by an individual qualified to impart such information,  
11                   and which does not include any exhibition of behavior that does not naturally  
12                   occur for that animal in the wild state, except for industry-standard husbandry  
13                   practices for veterinary purposes.
- 14                   (3)    Exotic or wild animal. – The following taxa, and hybrids of those taxa,  
15                   whether the animal was captured from the wild or bred in captivity:
- 16                   a.       Canidae (other than domestic dogs).
- 17                   b.       Cetartiodactyla (other than alpacas, bison, cattle, deer, goats,  
18                   guanacos, llamas, swine, and sheep).
- 19                   c.       Crocodylia.
- 20                   d.       Edentata.
- 21                   e.       Elasmobranchii.
- 22                   f.       Elephantidae.
- 23                   g.       Felidae (other than domestic cats).
- 24                   h.       Hyaenidae.
- 25                   i.       Marsupialia.
- 26                   j.       Mustelidae.
- 27                   k.       Nonhuman primates.
- 28                   l.       Perissodactyla (other than horses, donkeys, and mules).
- 29                   m.       Pinnipedia.
- 30                   n.       Procyonidae.
- 31                   o.       Ratites.
- 32                   p.       Spheniscidae.
- 33                   q.       Testudinidae.
- 34                   r.       Ursidae.
- 35                   s.       Varanidae.
- 36                   t.       Viverridae.
- 37                   (4)    Mobile traveling facility. – A vehicle such as a truck, car, trailer, airplane,  
38                   ship, or railway car used to transport or house animals and which moves from  
39                   place to place for performance purposes.
- 40                   (5)    Performance. – Any act, circus, ride, carnival, display, exhibition, parade,  
41                   petting zoo, race, or similar undertaking in which animals are required to  
42                   perform tricks, give rides, participate in photographic opportunities, or serve  
43                   as an accompaniment for the entertainment or amusement or other benefit for  
44                   an audience.
- 45                   (6)    Traveling animal act. – A performance with one or more animals that  
46                   transports the animals from place to place in a mobile housing facility for the  
47                   purpose of participation in the performance.
- 48                   (7)    Wildlife sanctuary. – An organization that is exempt from federal income tax  
49                   under section 501(c)(3) of the Internal Revenue Code, is described by section  
50                   170(b)(1)(A)(vi) of the Internal Revenue Code, and is a place of refuge that  
51                   provides care for abused, neglected, unwanted, impounded, abandoned,

1 orphaned, or displaced wildlife for their lifetime, and which does not engage  
2 in any of the following:

- 3 a. Using an exotic or wild animal for any type of entertainment, including  
4 direct contact between the public and any exotic or wild animal for  
5 photographic opportunities, petting, or other entertainment.
- 6 b. Permitting unescorted public visitation or direct contact between the  
7 public and any exotic or wild animal.
- 8 c. Engaging in commercial trade in any exotic or wild animal, including  
9 the sale of any animal, animal part, derivative, or offspring.
- 10 d. Breeding exotic or wild animals.

11 **"§ 19A-16. Violation of Article.**

12 A violation of the provisions of this Article shall constitute a Class 2 misdemeanor.

13 **"§ 19A-17. Enforcement of Article.**

14 This Article is enforceable by wildlife protectors of the Wildlife Resources Commission, by  
15 sheriffs and deputy sheriffs, and by other law enforcement officers with general subject matter  
16 jurisdiction. Wildlife protectors shall have all the powers set forth in Article 13 of Chapter 113  
17 of the General Statutes in the enforcement of this Article."

18 **SECTION 4.** This act becomes effective January 1, 2022.