
A BILL FOR AN ACT

RELATING TO EXHIBITION OF WILD OR EXOTIC ANIMALS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Twenty years ago, in August 1994, Tyke, an
2 African elephant who was brought to Honolulu as part of a
3 traveling circus, escaped from the Neal Blaisdell Center after
4 crushing her trainer to death and injuring fifteen other people.
5 She was eventually killed by police officers after she went on a
6 rampage through the streets of Honolulu, charging after
7 pedestrians and smashing cars in several city blocks. Tyke
8 suffered a slow and painful death, after being hit by dozens of
9 bullets fired by police officers, because no one was prepared or
10 trained to effectively and mercifully kill a rampaging African
11 elephant. More recently, in the summer of 2014, the 50th State
12 Fair featured a traveling show from the mainland that included
13 grizzly bears and sea lions.

14 As vividly illustrated by the tragedy of Tyke, the extreme
15 stress and inhumane treatment that may be experienced by wild or
16 exotic animals used for commercial display can cause them to
17 behave unpredictably and even violently, leading to increased



1 risks to public safety. These animals may be subjected to
2 constant travel, limited facilities, and long periods of
3 restricted movement.

4 In addition to putting people in direct danger, wild and
5 exotic animals also pose a risk to public health, including
6 potential rabies exposure and the introduction of pathogens that
7 spread disease, such as tuberculosis to Hawaii's cattle industry
8 and canine distemper to domesticated dogs. Moreover, these
9 pathogens can spread to Hawaii's ecosystem if diseased cows,
10 dogs, and other animals escape and establish feral colonies.

11 The legislature finds that it is in the best interest of
12 the State, the public, and the animals to prohibit the display
13 or performance of live wild or exotic animals, unless the
14 animals physically reside in Hawaii for more than three hundred
15 days before the display or performance.

16 SECTION 2. Chapter 711, Hawaii Revised Statutes, is
17 amended by adding a new section to be appropriately designated
18 and to read as follows:

19 "§711- Unlawful display or performance of a wild or
20 exotic animal. (1) A person commits the offense of unlawful
21 display or performance of a wild or exotic animal if the person



1 intentionally or knowingly causes or permits the display or
2 performance of any wild or exotic animal that has been
3 transported into the State for any purpose, unless the wild or
4 exotic animal is physically present in the State for more than
5 three hundred days prior to the display or performance.

6 (2) This section shall not apply if the wild or exotic
7 animal is displayed or performs in connection with any
8 Association of Zoo and Aquariums accredited institution or with
9 the Global Federal of Animal Sanctuaries.

10 (3) Unlawful display or performance of a wild or exotic
11 animal is a misdemeanor.

12 (4) As used in this section:

13 "Companion animal" means any animal that is commonly kept
14 by a person as a pet for companionship.

15 "Display" or "performance" means any exhibition, act,
16 circus, public show, trade show, photographic opportunity,
17 carnival ride, parade, race, or similar undertaking in which a
18 wild or exotic animal is required to perform tricks, fight,
19 wrestle, or participate in performances for the amusement or
20 entertainment of an audience.



1 "Displayed" or "performs" means to be the subject of a
2 display or performance.

3 "Domestic animal" means any animal that is livestock, a
4 companion animal, or both.

5 "Livestock" includes:

6 (a) Poultry;

7 (b) Cattle;

8 (c) Swine;

9 (d) Sheep;

10 (e) Goats; and

11 (f) Equine animals.

12 "Wild or exotic animal" means any live animal that is not a
13 domestic animal and:

14 (a) Is or historically has been found in the wild, or in a
15 wild state, within the boundaries of the United
16 States, or its territories or possessions. "Wild
17 animal" includes deer, skunk, opossum, raccoon, mink,
18 armadillo, coyote, squirrel, fox, wolf, bear, and
19 alligator; or

20 (b) Is native to a foreign country, is of foreign origin
21 or character, is not native to the United States, or



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1 was introduced from abroad. "Exotic animal" includes
 2 lions, tigers, leopards, elephants, camels, antelope,
 3 anteaters, kangaroos, and water buffalo, and species
 4 of foreign domestic cattle, such as Ankole, Gayal, and
 5 Yak."

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval.

8

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Report Title:

Wild or Exotic Animal; Unlawful Display or Performance

Description:

Establishes the offense of Unlawful Display or Performance of a Wild or Exotic Animal to prohibit the display or performance of a wild or exotic animal for commercial purposes. Provides an exception for such animals that have been in the State for more than 300 days prior to the display or performance.

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