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## A BILL FOR AN ACT

RELATING TO WILD ANIMALS.

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

1           SECTION 1. The legislature finds that in December 2018,  
2 Governor David Ige approved an administrative rule that  
3 prohibits the importation of dangerous wild animals for  
4 exhibition in circuses or carnivals in Hawaii. That same month,  
5 New Jersey became the first state to pass a law that bans the  
6 use of wild animals in circuses. These historic measures  
7 recognize both the animal welfare concerns and public safety  
8 concerns of circuses that force endangered and threatened  
9 animals such as elephants, tigers, lions, and bears to perform.

10           The New Jersey law is known as "Nosey's Law," and was named  
11 after an abused African elephant with crippling arthritis that  
12 was forced to travel around the country to perform in circuses.  
13 Illinois and New York had already banned the use of elephants in  
14 traveling or entertainment acts, but Nosey's Law bans the use of  
15 all wild and exotic animals in circus acts.

16           The legislature also finds that the people of Hawaii will  
17 never forget the tragedy that occurred in 1994 when Tyke the



1 elephant fatally crushed her trainer during a live performance  
2 at the Neal S. Blaisdell Center Arena. Tyke then rampaged  
3 through the streets of Honolulu for nearly thirty minutes until  
4 police officers were finally able to stop her by shooting her  
5 eighty-seven times.

6 The legislature further finds that wild animals used in  
7 traveling shows are subjected to prolonged periods of extreme  
8 confinement in dark and poorly ventilated enclosures. These  
9 animals are routinely deprived of adequate exercise and  
10 veterinary care. This practice is especially inhumane for wild  
11 animals that are transported thousands of miles across the ocean  
12 to Hawaii.

13 The purpose of this Act is to prohibit the importation of  
14 dangerous wild animals for exhibition in a circus, carnival, or  
15 other live animal act or performance.

16 SECTION 2. Chapter 150A, Hawaii Revised Statutes, is  
17 amended by adding a new section to part II to be appropriately  
18 designated and to read as follows:

19 **"§150A- Dangerous wild animal exhibition; prohibited.**  
20 **(a) No person shall import to Hawaii a dangerous wild animal**



1 for exhibition in a circus, carnival, or other live animal act  
2 or performance.

3 (b) A person who violates this section shall be guilty of  
4 a misdemeanor and subject to a fine of not less than \$5,000 nor  
5 more than \$25,000. Each animal imported in violation of this  
6 section constitutes a separate violation.

7 (c) As used in this section:

8 "Dangerous wild animal" means a non-domestic animal that  
9 has been determined to be capable of causing significant risk to  
10 animal or public health and safety in the absence of adequate  
11 containment measures and safeguards. The following animals  
12 shall be considered dangerous wild animals: lion (panthera  
13 leo), tiger (panthera tigris), cheetah (acinonyx jubatus),  
14 jaguar (panthera onca), cougar (felis concolor), leopard  
15 (panthera pardus), clouded leopard (panthera nebulosa), caracal  
16 (felis caracal and lynx caracal), ocelot (felis pardalis),  
17 margay (felis wiedii), serval (felis serval), bear (all species  
18 in the ursidae family), wolf (canis lupus and canis rufus),  
19 hyena (crocuta crocuta), aardwolf (proteles cristatus), elephant  
20 (all species in the elephantidae family), rhinoceros (all  
21 species in the rhinocerotidae family), hippopotamus (all species



1 in the hippopotamidae family), non-human primate (all species in  
 2 the primates order), crocodile (all species in the crocodylus  
 3 genus), alligator (alligator mississippiensis), caiman (caiman  
 4 crocodylus), and gharial or gavial (gavialis gangeticus).

5 "Performance" means any animal act, carnival, circus,  
 6 display, exhibition, exposition, fair, parade, petting zoo,  
 7 presentation, public showing, race, ride, trade show, or similar  
 8 undertaking in which animals perform tricks, give rides, or  
 9 participate as accompaniments for the entertainment, amusement,  
 10 or benefit of a live audience."

11 SECTION 3. This Act does not affect rights and duties that  
 12 matured, penalties that were incurred, and proceedings that were  
 13 begun before its effective date.

14 SECTION 4. New statutory material is underscored.

15 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: 

JAN 18 2019



# H.B. NO. 716

**Report Title:**

Dangerous Wild Animals; Circuses; Importation; Prohibitions

**Description:**

Prohibits the importation of dangerous wild animals for exhibition in a circus, carnival, or other live animal act or performance.

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