

**REPORT ON LEGISLATION
BY THE ANIMAL LAW COMMITTEE**

H.R. 1759

Rep. Grijalva

AN ACT, entitled the Traveling Exotic Animal and Public Safety Protection Act, to amend the Animal Welfare Act (7 U.S.C. section 2143) “to restrict the use of exotic and wild animals in traveling performances.”

THIS LEGISLATION IS APPROVED

1. Summary of the Proposed Law

The Animal Welfare Act (“AWA”), 7 U.S.C. sections 2131 *et seq.*, requires that minimum standards be provided for the care, treatment, transportation, housing, handling, purchase, and sale of certain warm-blooded animals used for research, exhibition, and commerce in order to ensure their humane treatment. U.S. House of Representatives Bill No. H.R. 1759, the Traveling Exotic Animal and Public Safety Protection Act (“TEAPSPA”), would amend section 13 of AWA, 7 U.S.C. section 2143, by adding subsection (i) to prohibit a person¹ from causing² the performance³ of, or allowing the participation of, exotic⁴ or wild animals⁵ in a traveling

¹ “Person” is defined in the AWA regulations as “any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity.” 9 C.F.R. § 1.1.

² “Cause a performance” is defined in TEAPSPA as being “responsible for a performance, to financially benefit as an owner or operator from a performance, or to sponsor a performance.” TEAPSPA § 3 (7 U.S.C. § 13(i)(4)(A)).

³ “Performance” is defined in TEAPSPA as “any animal act, circus, ride, carnival, parade, race, performance, or similar undertaking in which animals are required to perform tricks, give rides, or participate as accompaniments for the entertainment, amusement, or benefit of an audience.” TEAPSPA § 3 (7 U.S.C. § 13(i)(4)(G)).

⁴ “Exotic Animal” is defined in TEAPSPA as “any animal that is not a domestic animal or farm animal, that is native to a foreign country or of foreign origin or character, is not native to the United States, or was introduced from abroad, whether wild-born or captive bred, and any hybrid of such animal, including hybrid crosses with a domestic animal or farm animal, including but not limited to animals such as (i) cetartiodactyla (excepting alpacas, bison, cattle, deer, elk, goats, llamas, reindeer, swine, and sheep); (ii) felidae (excepting domestic cats); (iii) marsupialia; (iv) non-human primates; (v) perissodactyla (excepting horses, donkeys, and mules); (vi) pinnipedia; (vii) proboscidea; (viii) ratites (excepting ostriches, emus, and rheas); and (ix) ursidae.” TEAPSPA § 3 (7 U.S.C. § 13(i)(4)(D)).

⁵ “Wild Animal” is defined in TEAPSPA as “any animal that is not a domestic animal or farm animal, which is now or historically has been found in the wild or in the wild state, within the boundaries of the United States, its territories, or possessions, whether wild-born or captive bred, and any hybrid of such an animal, including hybrid crosses with a domestic animal or farm animal, including but not limited to animals such as (i) cetartiodactyla (excepting alpacas, bison, cattle, deer, elk, goats, llamas, reindeer, swine, and sheep); (ii) felidae (excepting domestic cats); (iii) marsupialia; (iv) perissodactyla (excepting horses, donkeys, and mules); (v) pinnipedia; (vi) ratites (excepting ostriches, emus, and rheas); and (vii) ursidae.” TEAPSPA § 3 (7 U.S.C. § 13(i)(4)(I)).

animal act.⁶ TEAPSPA provides five exceptions that allow the use of wild or exotic animals (i) in non-mobile and permanent animal exhibitions on-site at zoos or aquariums accredited by the Association of Zoos and Aquariums or the Global Federation of Animal Sanctuaries, or at wildlife sanctuaries⁷; (ii) as part of an environmental educational program⁸ by a facility accredited by the Association of Zoos and Aquariums, as long as the animal used for such purposes is not so used for more than six months in any year and is not kept in a mobile or traveling housing facility⁹ for more than twelve hours in any given day; (iii) by a university, college, laboratory, or other research facility registered with the United States Department of Agriculture and Market's ("USDA") Secretary of Agriculture pursuant to Section 6 of the AWA; (iv) in film, television or advertising, provided such use does not involve a live animal exhibition in the presence of a public studio audience; and (v) in a rodeo. Significantly, TEAPSPA expressly does not cover any domestic¹⁰ or farm animals¹¹. The Animal and Plant Health Inspection Service ("APHIS") of the USDA enforces the AWA. Failure to comply with TEAPSPA is subject to the enforcement and penalty provisions under Sections 16, 19 and 29 of the AWA, as applicable.¹²

⁶ "Traveling Animal Act" is defined in TEAPSPA as "any performance of animals where such animals are transported to, from, or between locations for the purpose of such performance, in a mobile or traveling housing facility." TEAPSPA § 3 (7 U.S.C. § 13(i)(4)(H)).

⁷ "Wildlife Sanctuary" is defined in TEAPSPA as "an organization described in sections 170(b)(1)(A)(vi) and 501(c)(30) of the Internal Revenue Code 1986 that does not (i) engage in commercial trade in any exotic or wild animal, including the sale of any animal, animal part or derivative, offspring, photographic opportunities, or public events for financial profit or any other entertainment purpose; (ii) breed any exotic or wild animal; (iii) permit unescorted public visitation; (iv) permit direct contact between the public and any exotic or wild animal; or (v) remove any exotic or wild animal from a sanctuary or enclosure for exhibition or performance." TEAPSPA § 3 (7 U.S.C. § 13(i)(4)(J)).

⁸ "Environmental Education Program" is defined in TEAPSPA as "an animal exhibition that is professionally designed to impart knowledge or information for educational or conservation purposes about that animal's natural behavior, habitat, life cycle, or similar pedagogical information, conducted by an individual qualified to impart such information, which does not include any performance of behavior that does not naturally occur for that animal in the wild state." TEAPSPA § 3 (7 U.S.C. § 13(i)(4)(C)).

⁹ "Mobile or Traveling Housing Facility" is defined in TEAPSPA as "a transporting vehicle such as a truck, car, trailer, airplane, ship, or railway car, used to transport or house animals while traveling to, from, or between locations for performance purposes." TEAPSPA § 3 (7 U.S.C. § 13(i)(4)(F)).

¹⁰ "Domestic Animal" is defined in TEAPSPA as "any animal that is normally maintained as a companion or pet animal in or near the household of the owner or person who cares for the animal, such as a domestic dog (including a service dog), domestic cat, ferret, gerbil, horse, mouse, rat, guinea pig, rabbit, or hamster, but does not include any exotic animal or wild animal." TEAPSPA § 3 (7 U.S.C. § 13(i)(4)(B)).

¹¹ "Farm Animal" is defined in TEAPSPA as "any domestic species of alpacas, cattle, sheep, swine, goats, llamas, poultry, or horses, which are normally and have historically, been kept and raised on farms in the United States, and used or intended for use as food or fiber, or for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber. This term also includes animals such as rabbits, mink, and chinchilla, when they are used solely for purposes of meat or fur, and animals such as horses and llamas when used solely as work and pack animals. The term does not include exotic animals and wild animals." TEAPSPA § 3 (7 U.S.C. § 13(i)(4)(E)).

¹² Consistent with the City Bar's position against the problems associated with over-incarceration in the United States, we urge that civil fines be the primary form of penalty under the law, and that incarceration may be imposed only for multiple, successive violations of the law.

2. TEAPSPA's Factual Findings are Supported by Numerous Reports

TEAPSPA sets forth thirteen legislative findings concerning the use of wild and exotic animals in traveling performances that focus on the welfare of these animals as well as the safety of the workers and public. Specifically, these findings include the recognition that: (a) these animals have intrinsic value and suffer as a result of being unable to fulfill their instinctive natural behaviors, (b) the tricks that the animals are forced to perform require extreme physical coercion and abuse, (c) the conditions inherent in traveling performances are detrimental to animal physical and psychological health and welfare, (d) the public safety and the safety of workers are put at risk by the exhibition of wild and exotic animals in traveling performances, and (e) law enforcement cannot properly monitor violations of animal-related laws due in part to the transitory nature of traveling performances. TEAPSPA would further recognize that “it is not necessary to use wild animals in traveling performances to experience the circus or similar events” and that their use “actually undermines conservation efforts necessary to protect threatened and endangered species.”¹³ As explained below, evidence strongly supports these findings and the necessity of this legislation to protect such animals.

(a) The tricks that wild and exotic animals in traveling acts are forced to perform require extreme physical coercion and abusive tactics.

The tricks that wild and exotic animals in traveling acts are forced to perform, such as headstands and jumping through rings of fire, are not behaviors these animals would perform in nature.¹⁴ In order to make the animals perform these tricks, exhibitors use extreme physical coercion that results in trauma and physical injury and, in extreme circumstances, death. Former circus employees report that travelling circus elephants were beaten in the face with sharp metal hooked rods known as bullhooks, whipped, and cursed at by employees in order to force them to perform stunts.¹⁵ Photographs taken by a former circus employee show a baby elephant being tied up with rope and forcibly stretched and beaten by several men to make him perform tricks like headstands.¹⁶ An eight-month old circus elephant was euthanized after fracturing its back legs after falling off of a platform.¹⁷

¹³ TEAPSPA § 2.

¹⁴ Anastasia Niedrich, *Animals in Circuses and the Laws Governing Them*, Animal Legal & Historical Center (2010), <https://www.animallaw.info/article/animals-circuses-and-laws-governing-them>.

¹⁵ Deborah Nelson, *The Cruellest Show on Earth*, MOTHER JONES 48-57 (Nov./Dec. 2011), <http://motherjones.com/environment/2011/10/ringling-bros-elephant-abuse>. (All websites referenced were last visited March 12, 2017.)

¹⁶ Ameena Schelling, *The Sadness of Circus Elephants, In One Photo*, THE DODO.COM (Nov. 25, 2015) (showing photographs and video by Samuel J. Haddock, former Ringling Bros. and Barnum & Bailey employee), <https://www.thedodo.com/elephant-ringling-training-photos-1476507419.html>.

¹⁷ Marc Kaufman, *USDA Investigates Death of Circus Lion*, WASHINGTON POST (Aug. 8, 2004) A3, <http://www.washingtonpost.com/wp-dyn/articles/A48042-2004Aug7.html>.

(b) Traveling performances are detrimental to animal physical and psychological health.

In addition to being victims of coercive training tactics, the wild and exotic animals used in traveling performances suffer during long hours of transport in confined conditions that bear no resemblance to their natural habitats. Dangers inherent in transporting wild and exotic animals have existed almost as long as trains started transporting them at the end of the 19th Century. Jumbo, P.T. Barnum's most famous elephant, was killed by a train in 1885 when he was being loaded into his car.¹⁸ Estimates suggest that many circus animals spend eleven months a year traveling,¹⁹ which can cause stress. Inspections and internal circus memoranda document that circus animals, including large elephants, are confined to train boxcars for periods of over 24 hours, including a trip of 36 hours through the California and Arizona desert region.²⁰ The stress and conditions of traveling can result in mental trauma and physical harm and, occasionally, the animals' traveling conditions are so extreme that they result in death. For example, in 2004, a lion died while traveling in a boxcar through the Mojave Desert, apparently due to the heat and lack of water.²¹ In 1997, an elephant owned by the King Royal Circus died from heat prostration in a trailer in New Mexico.²²

Further, wild and exotic animals that are subjected to coercive training techniques, stressful travel conditions, and long periods of confinement are prone to serious health problems as is documented in reports by governmental agencies and animal advocacy organizations. For example, an investigation memo issued by the Division of Animal Care Services of the City of Sacramento California ("SACS") dated September 9, 2010, regarding the care and treatment of four Asian elephants by Ringling, revealed that the elephants suffered from: "(1) Short stepping; (2) Lameness; (3) Walking on the outside of their feet; (4) Shuffling; and (5) Instability in their [breathing]" and concluded that "[t]hese four elephants show evidence of osteo-arthritis as exemplified by gait deficits and lameness."²³ A November 18, 2010 USDA inspection report of Ringling in Chicago revealed that one of the elephants "had chronic lameness since early 2009, and that the licensee has not conducted adequate diagnostics, developed an adequate treatment plan, or ensured that the elephant received prescribed treatments."²⁴ An elephant exhibited by

¹⁸ Bob Brooke, *Step Right Up!*, HISTORY MAGAZINE (Oct./Nov. 2001), <http://www.history-magazine.com/circuses.html>.

¹⁹ Four Reasons You Should Not Attend Animal Circuses, BORNFREEUSA.ORG, http://www.bornfreeusa.org/a1a2_circus.php.

²⁰ Nelson, *supra* note 15.

²¹ Kaufman, *supra* note 17.

²² Donna Horowitz, *Elephant Death has Marin Wary of Fall Circus*, SF GATE, (Aug. 8, 1997), http://articles.sfgate.com/1997-08-08/news/28576686_1.

²³ Letter from Penny E. Cistaro, City of Sacramento Animal Care Services Manager, to Feld Entertainment regarding the findings of an inspection of Ringling (Sept. 9, 2010), [http://www.mediapeta.com/peta/PDF/20100909LetterFromCityofSacramentotoFeldEntmt\(00057028\).pdf](http://www.mediapeta.com/peta/PDF/20100909LetterFromCityofSacramentotoFeldEntmt(00057028).pdf).

²⁴ By Tamara Dietrich, *This Debate Turns into a Circus*, DAILY PRESS (Apr. 9, 2011), http://articles.dailypress.com/2011-04-09/news/dp-nws-tamara-circus-0410-20110409_1_dennis-schmitt-elephants-usda-inspections.

Liebling Bros. Circus allegedly suffered from a serious skin condition that was untreated for many years.²⁵

(c) The public safety and the safety of workers are put at risk by the exhibition of wild and exotic animals in traveling performances.

As indicated by several legislative findings, the nature of traveling performances is inherently dangerous to both the public and the workers. With respect specifically to circuses, reports too numerous to list here document escapes and attacks by circus animals and zoonotic illnesses that put the public, circus employees', and the animal's safety at risk. For example, on April 9, 2010, an elephant in the Irem Shelter Circus killed her handler.²⁶ In February 2010, a zebra escaped from Ringling and ran down a section of Interstate 75 in Atlanta, Georgia.²⁷ In 2009, an elephant escaped a circus in Oklahoma and hit an SUV.²⁸ In 1997, a handler was killed by his tiger in a circus performance in Carrollton, Pennsylvania.²⁹ In 1994, an elephant crushed her trainer at a circus in Honolulu; after the attack, the elephant charged the audience and was gunned down by police.³⁰ In 1991, a leopard jumped out of a ring in Wilkesboro, North Carolina and bit a three-year old girl on the neck.³¹ And more than a third of Ringling's elephants have been diagnosed with tuberculosis, a potentially deadly disease that can be transmitted to humans.³²

(d) Law enforcement cannot properly monitor violations of animal-related laws due in part to the transitory nature of traveling performances.

The activities described above—striking elephants' faces with bullhooks, depriving a lion of water, whipping tigers to force them to jump through fire—may be violations of state anti-cruelty laws. New York Agriculture and Markets Law section 353 provides:

²⁵ People for the Ethical Treatment of Animals, *Fact Sheet, Liebel Family Circus*, <https://www.all-creatures.org/alert/alert-20141002.pdf>.

²⁶ Jen Marckini, *Circus Fatal Blamed on Wire Sparks The Worker Killed by a Shrine Circus Elephant on Friday is Identified as Andrew Anderton, of Florida*, THE TIMES-LEADER (WILKES-BARRE) (April 11, 2010), http://archives.timesleader.com/2010_16/2010_04_11_Circus_fatal_blamed_on_wire_sparks_-news.html.

²⁷ *A real-life zebra crossing! Escaped circus animal sparks mayhem on U.S. highway*, MAIL ONLINE, <http://www.dailymail.co.uk/news/article-1252155/Alert-zebra-crossing-Escaped-circus-animal-sparks-mayhem-U-S-highway.html#ixzz1ijWsTXe1>.

²⁸ Murray Evans, *Elephant That Escaped and Was Hit by SUV OK*, THE SEATTLE TIMES (Nov. 6, 2009), <http://www.seattletimes.com/nation-world/circus-elephant-that-escaped-and-was-hit-by-suv-ok/>.

²⁹ ZOOCHECK CANADA, THE BULL IN THE CHINA SHOP: AN ASSESSMENT OF THE HUMAN SAFETY RISKS ASSOCIATED WITH WILD PERFORMING ANIMALS IN CIRCUSES (June 2005), <https://www.zoocheck.com/wp-content/uploads/2015/06/BullinCinashop.pdf>.

³⁰ Rosemarie Bernardo, *Shots Killing Elephant Echo Across Decade*, HONOLULU STAR-BULLETIN (Aug. 16, 2004), <http://archives.starbulletin.com/2004/08/16/news/story2.html>.

³¹ Exotic Animal Incident Report, Born Free USA, http://www.bornfreeusa.org/database/exo_incident.php?id=14.

³² Nelson, *supra* note 15, at 56.

A person who overdrives, overloads, tortures or cruelly beats or unjustifiably injures, maims, mutilates or kills any animal, whether wild or tame, and whether belonging to himself or another, or deprives any animal of necessary sustenance, food or drink, or neglects or refuses to furnish it such sustenance . . . is guilty of a Class A misdemeanor . . .

However, because traveling performances move from state to state, the investigative efforts of local law enforcement officers is necessarily limited by their jurisdiction. APHIS, the agency charged with enforcing the AWA, is also limited in its enforcement efforts, apparently due to a lack of resources and flawed investigative protocols.

According to a USDA Inspector General report:

[F]or 6 of 40 traveling exhibitors we reviewed, Animal Care inspectors could not perform timely reinspections to ensure that serious noncompliant items that were identified in previous inspections had been resolved. For example, one exhibitor continued to show its elephants on the road even though an animal care inspector had previously cited the exhibitor for the animals being too thin for travelling exhibition. This occurred because APHIS had no requirement for exhibitors to submit travel itineraries, and the Animal Care inspectors were therefore unable to determine the exhibitors' current locations. Without reinspection, APHIS Animal Care inspectors cannot determine if the serious safety violations cited have been corrected.³³

3. Addressing Opposing Arguments

We approve the bill due to the overwhelming evidence that the wild and exotic animals used in traveling performances suffer from their training and transport. Because existing animal welfare laws are so difficult to enforce and offer these animals little meaningful protection, TEAPSPA is necessary to ensure the welfare of such animals.

The opposition to bills such as TEAPSPA has historically been that the American public should have the final voice in deciding whether traveling performances, such as circuses, should be allowed to operate.³⁴ In fact, the public has spoken and in January, 2017, the Feld organization (parent company to Ringling) announced its decision to close down the largest animal-act based circus tour in the U.S.³⁵ The Feld family itself attributed its decision to decreasing ticket sales over the last decade and to high costs, describing the industry as no longer

³³ AUDIT REPORT BY THE USDA OFFICE OF THE INSPECTOR GENERAL, CONTROLS OVER APHIS LICENSING OF ANIMAL EXHIBITORS, 33601-10-CH at 2 (June 2010), <http://www.usda.gov/oig/webdocs/33601-10-CH.pdf>.

³⁴ *E.g.*, Los Angeles News Group, *Editorial: A Big Gray Area -- L.A. City Council can Protect Circus Animals Without Banning Elephants*, PRESS TELEGRAM (Dec. 5, 2012), <http://www.presstelegram.com/article/ZZ/20121205/NEWS/121209669>.

³⁵ Press release, Ringling Bros., Feld Entertainment Announces Final Performances of Ringling Bros. and Barnum & Bailey® Circus in May 2017, (Jan. 14, 2017), <https://www.ringling.com/ringling-bros-final-performances>.

sustainable from a business perspective. Kenneth Feld, the family patriarch actually said “[i]t isn’t relevant to people in the same way.”³⁶

Recent legislation in California banning the captive breeding of orcas and SeaWorld’s closing of its orca show are additional examples of a trend away from the use and exploitation of exotic animals for entertainment and profit purposes.³⁷

The opposition also exaggerates the intent and effect of TEAPSPA. TEAPSPA will not mean the end to all traveling performances in America and a concomitant loss of hundreds of jobs. These businesses will simply have to focus on acts that do not cause harm to animals and/or give animals a longer break between traveling and performing. There are more than twenty (20) human-performance circuses in the United States, including some that were once animal exhibitors.³⁸

Articles in *Forbes Magazine*³⁹ and *The Wall Street Journal*⁴⁰ quote major players in circuses describing diversification away from “traditional” acts and identifying the primary economic driver in today’s circus as being the celebrity clown or “power clown”—not the animals. Notably, Ringling’s announcement includes its own refocus on the human performance divisions of its parent company, FEI’s live entertainment human performance shows, such as *Disney on Ice* and *Marvel*.⁴¹ James Hamid (of *Hamid Circus*, the oldest single-family operated US circus) was quoted saying:

As we look into the future, we see all circuses moving to non-animal productions. Over the last 20 years both through strict regulation as well as changing public sentiment, performing animal acts have begun to be a thing of the past. So it’s up to creative minds to conceive new and entertaining all-human performances . . .⁴²

Perhaps the most familiar human-performance circus may be *Cirque du Soleil*, which had its first show in 1990, and has now grown to an \$800 million plus enterprise, appearing eight

³⁶*The Final Days of Ringling Bros. and Barnum & Bailey Circus*, THE CHICAGO TRIBUNE (Jan. 15, 2017), <http://www.chicagotribune.com/entertainment/ct-ringling-bros-circus-closing-20170115-story.html>.

³⁷ Brian Clark Howard, *Controversial SeaWorld Orca Shows End in California, but Continue Elsewhere*, NATIONAL GEOGRAPHIC (Jan. 4, 2017), <http://news.nationalgeographic.com/2017/01/seaworld-final-orca-show-california-killer-whales>.

³⁸ *Animal Free Circuses*, BORNFREEUSA.COM, <http://www.bornfreeusa.org/facts.php?more=1&p=419>.

³⁹ Kate Vinton, *Meet The Third-Generation Circus Maven Who Put Ringling Bros. On Ice*, FORBES (Nov. 30, 2016), <https://www.forbes.com/sites/katevinton/2016/11/30/meet-the-third-generation-circus-maven-who-put-ringling-bros-on-ice/#537214f57688>.

⁴⁰ Kelly Crow, *The Power Clown*, THE WALL STREET JOURNAL (Aug. 12, 2005), <https://www.wsj.com/articles/SB112380371510711446>.

⁴¹ Press Release, Ringling Bros., *supra* note 35.

⁴² Bill Blankenship, *Topeka's Arab Shrine Circus Returns For 75th Straight Year*, CJONLINE.COM (Feb. 19, 2015), <http://cjonline.com/news-life-arts-entertainment-local/2015-02-19/topekas-arab-shrine-circus-returns-75th-straight-year>.

times in the top ranking international tours. Unlike the noted decline in animal circus attendance, these human-performance shows are proliferating worldwide. Human-performance circuses are popular; they require labor, create jobs, are great fundraisers, and can bring dollars to New York and other states without exposing our citizens to chronically stressed and abused animals.

In addition to the foregoing, a 2015 Gallup poll showed two out of three Americans are troubled by the plight of animals in traveling shows.⁴³ Several local jurisdictions—including Greenburgh, New York,⁴⁴ Boulder, Colorado,⁴⁵ Hollywood, Florida,⁴⁶ Revere⁴⁷ and Somerville,⁴⁸ Massachusetts, and Richmond, Missouri⁴⁹—have already passed local ordinances to ban traveling wild animal acts, in response to the risks facing both animals and citizens.⁵⁰ The USDA’s Office of Inspector General has criticized agency oversight here, citing vague standards that are consistently challenged in the field and in the courtroom, and overworked, underperforming agencies, which frustrate inspectors and regulated entities, and leave animals and humans unprotected.⁵¹

Most significantly, what opposing arguments consistently fail to address is the overwhelming evidence, and common sense judgment, that wild and exotic animals experience profound suffering when they are forced to endure long hours of travel and coercive training techniques. The animals belong in their natural habitat or sanctuaries, not packed into trains and 18-wheelers for hours on end and, shortly thereafter, being forced to perform headstands and other abusive and demeaning acts to the gawking public.

⁴³ Rebecca Riffkin, *In U.S., More Say Animals Should Have Same Rights as People, Gallup Poll*, Gallup U.S. Daily survey conducted May 6, 2015, <http://www.gallup.com/poll/183275/say-animals-rights-people.aspx>.

⁴⁴ Greenburgh, NY Code § 345-2(A) (bans a display of wild or exotic animals; limited to property located within the Town of Greenburgh where the town has a property interest), <http://ecode360.com/6818363>.

⁴⁵ Boulder, Colorado Code § 6-1-4, https://www.municode.com/library/co/boulder/codes/municipal_code?nodeId=TIT6HESASA_CH1AN_6-1-4LIPOEXAN.

⁴⁶ City of Hollywood, Florida Code § 92.60(D)(2)(c), [http://library.amlegal.com/nxt/gateway.dll/Florida/hollywood/cityofhollywoodfloridacodeofordinances?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:hollywood_fl_mc\\$anc=](http://library.amlegal.com/nxt/gateway.dll/Florida/hollywood/cityofhollywoodfloridacodeofordinances?f=templates$fn=default.htm$3.0$vid=amlegal:hollywood_fl_mc$anc=).

⁴⁷ Revere, Massachusetts Code § 6.04.031, https://www.municode.com/library/co/boulder/codes/municipal_code?nodeId=TIT6HESASA_CH1AN_6-1-4LIPOEXAN.

⁴⁸ City of Somerville, Massachusetts Code § 3-39(a), https://www.municode.com/library/co/boulder/codes/municipal_code?nodeId=TIT6HESASA_CH1AN_6-1-4LIPOEXAN.

⁴⁹ Richmond, Missouri Code § 210.390, <http://ecode360.com/28989912>.

⁵⁰ Born Free USA, *Local Restrictions Governing Traveling Shows and Circuses in the U.S. and Canada*, at http://www.bornfreeusa.org/b4a3_circuses_and_shows.php.

⁵¹ AUDIT REPORT BY THE USDA OFFICE OF THE INSPECTOR GENERAL, *supra* note 33.

4. Summary

For the reasons explained above, H.R. Bill No. 1759 is approved.⁵²

Animal Law Committee
Lori A. Barrett, Chair

April 2017

⁵² Over the past several years, the Animal Law Committee has supported federal, state, and local legislation that would protect animals in circuses and similar types of performances. Those reports can be accessed on the New York City Bar Association website, Animal Law Committee webpage as follows: Report in support of a New York City bill barring exhibition of wild and exotic animals, <http://s3.amazonaws.com/documents.nycbar.org/files/20073187-WildlifeBanEntertainmentAnimalReportFINAL11.9.16.pdf>; report in support of New York State legislation to prevent the cruel treatment of elephants, <http://www2.nycbar.org/pdf/report/uploads/20072860-ALCReportonS56A1555BullhookBan.pdf>; report in support of New York State legislation in relation to restricting the use of exotic and wild animals in traveling circuses and shows, <http://www2.nycbar.org/pdf/report/uploads/20072638-RestrictionsofWildAnimalsinCircuses.pdf>; report in support of the federal Traveling Exotic Animal Protection Act, <http://www2.nycbar.org/pdf/report/uploads/20072237-HRBillTravelingExoticAnimalProtectionAct.pdf>.