

---

SENATE BILL 6154

---

State of Washington

65th Legislature

2018 Regular Session

By Senators Palumbo, Fain, Ranker, Rolfes, Carlyle, Billig, Nelson,  
and McCoy

1 AN ACT Relating to the unlawful use of an elephant in a traveling  
2 animal act; adding a new section to chapter 16.52 RCW; and  
3 prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 16.52  
6 RCW to read as follows:

7 (1) Any person who knowingly allows for the participation of an  
8 elephant in a traveling animal act commits a gross misdemeanor.

9 (2) When the person who violates this section is arrested or  
10 taken into custody, the arresting officer may take charge of the  
11 animal or animals and make necessary arrangements to safeguard and  
12 care for them. Any necessary expenses must be paid before the animal  
13 or animals are returned. Any expenses not paid may be recovered from  
14 the owner of the animal or the guilty person.

15 (3) This section does not apply to an exhibition of elephants at  
16 a duly licensed, nonmobile, permanent institution or facility.

17 (4) The definitions in this subsection apply throughout this  
18 section unless the context clearly requires otherwise.

19 (a) "Elephant" means the species of the family *elephantidae*  
20 protected under the federal endangered species act of 1973:

1 (i) *Loxodonta africana* and *Loxidonta cyclotis*, also known as the  
2 African elephant; and

3 (ii) *Elephas maximum*, also known as the Asian elephant or Indian  
4 elephant.

5 (b) "Mobile or traveling animal housing facility" means a  
6 transporting vehicle such as a truck, trailer, or railway car used to  
7 transport or house animals while traveling to a performance.

8 (c) "Performance" means an exhibition, public showing,  
9 presentation, display, exposition, fair, animal act, circus, ride,  
10 trade show, petting zoo, carnival, parade, race, or other similar  
11 undertaking in which animals are required to perform tricks, give  
12 rides, or participate as accompaniments for entertainment, amusement,  
13 or benefit of a live audience.

14 (d) "Person" means individuals, corporations, partnerships,  
15 associations, or other legal entities, and agents of those entities.

16 (e) "Traveling animal act" means any performance of animals where  
17 animals are transported to, from, or between locations for the  
18 purpose of a performance in a mobile or traveling animal housing  
19 facility.

--- END ---