

[First Reprint]

ASSEMBLY, No. 1923

STATE OF NEW JERSEY
218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblyman JAMEL C. HOLLEY

District 20 (Union)

SYNOPSIS

“Nosey’s Law”; prohibits use of elephants and other wild or exotic animals in traveling animal acts.

CURRENT VERSION OF TEXT

As reported by the Assembly Agriculture and Natural Resources Committee on May 17, 2018, with amendments.



(Sponsorship Updated As Of: 5/18/2018)

1 AN ACT concerning the use of elephants and other wild or exotic
2 animals in traveling animal acts, designated as Nosey’s Law, and
3 supplementing Title 23 of the Revised Statutes.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 ¹[1. a. Notwithstanding any other law, or any rule or
9 regulation adopted pursuant thereto, to the contrary, no person shall
10 use an elephant or other wild or exotic animal in a traveling animal
11 act.

12 b. Any person who violates this section shall be subject to the
13 penalties provided in section 10 of P.L.1973, c.309 (C.23:2A-10),
14 except that the criminal penalties provided in subsection f. of that
15 section shall not apply.

16 c. As used in this section:

17 “Mobile or traveling housing facility” means a vehicle, including
18 a truck, trailer, or railway car, used to transport or house an animal
19 used for performance.

20 “Performance” means any animal act, carnival, circus, display,
21 exhibition, exposition, fair, parade, petting zoo, presentation, public
22 showing, race, ride, trade show, or similar undertaking in which
23 animals perform tricks, give rides, or participate as accompaniments
24 for the entertainment, amusement, or benefit of a live audience.

25 “Traveling animal act” means any performance which requires
26 an animal to be transported to or from the location of the
27 performance in a mobile or traveling housing facility. **]¹
28**

29 ¹1. a. As used in this section:

30 “Mobile or traveling housing facility” means a vehicle, including
31 a truck, trailer, or railway car, used to transport or house an animal
32 used for performance.

33 “Performance” means any animal act, carnival, circus, display,
34 exhibition, exposition, fair, parade, petting zoo, presentation, public
35 showing, race, ride, trade show, or similar undertaking in which
36 animals perform tricks, give rides, or participate as accompaniments
37 for the entertainment, amusement, or benefit of a live audience.

38 “Traveling animal act” means any performance which requires
39 an animal to be transported to or from the location of a performance
40 in a mobile or traveling housing facility.

41 “Wild or exotic animal” means any live animal that is classified
42 into any of the following scientific classifications:

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAN committee amendments adopted May 17, 2018.

- 1 (1) Artiodactyla, excluding domestic cattle, bison, water
2 buffalo, yak, zebu, gayal, bali cattle, suidae, sheep, goats, llamas,
3 vicunas, or alpacas;
4 (2) Camelidae;
5 (3) Canidae, including any hybrids thereof, but excluding
6 domestic dogs;
7 (4) Crocodilia;
8 (5) Elephantidae;
9 (6) Felidae, including any hybrids thereof, but excluding
10 domestic cats;
11 (7) Marsupialia;
12 (8) Non-human primate;
13 (9) Perissodactyla, excluding domestic horses, ponies, donkeys,
14 or mules;
15 (10) Pinnipedia;
16 (11) Ursidae; and
17 (12) Elasmobranchii, excluding rays.
18 b. Notwithstanding any other law or any rule or regulation
19 adopted pursuant thereto, to the contrary, no person shall use a wild
20 or exotic animal in a traveling animal act.
21 c. Any person who violates this section shall be subject to the
22 penalties provided for in section 10 of P.L.1973, c.309 (C.23:2A-
23 10), except that the criminal penalties provided in subsection f. of
24 that section shall not apply.
25 d. This section shall not apply to:
26 (1) exhibitions at a non-mobile, permanent institution or facility
27 licensed by the United States Department of Agriculture and
28 permitted by the Division of Fish and Wildlife in the Department of
29 Environmental Protection;
30 (2) outreach programs for bona fide educational or conservation
31 purposes conducted by, or affiliated with, a non-mobile, permanent
32 institution or facility that meets the requirements described in
33 paragraph (1) of this subsection;
34 (3) an institution of higher education exhibiting wild or exotic
35 animals for research or education purposes; or
36 (4) outreach programs conducted by governmental entities.¹
37
38 2. This act shall take effect immediately.