

1 **H. B. 2372**

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3 (By Delegate Hatfield)

4 [Introduced January 12, 2011; referred to the
5 Committee on Agriculture then the Judiciary.]

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10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §61-8-24, relating to
12 prohibiting an owner or manager of an elephant from engaging
13 in abusive behavior towards the elephant; and providing
14 criminal penalties.

15 *Be it enacted by the Legislature of West Virginia:*

16 That the Code of West Virginia, 1931, as amended, be amended
17 by adding thereto a new section, designated §61-8-24, to read as
18 follows:

19 **ARTICLE 8. CRIMES AGAINST CHASTITY, MORALITY AND DECENCY.**

20 **§61-8-24. Abusive behavior towards elephants by owner or manager**
21 **prohibited; penalty.**

22 (a) An owner or manager of an elephant may not engage in
23 abusive behavior towards the elephant. Abusive behavior towards an
24 elephant, includes, but is not limited to, the discipline of an

1 elephant by any of the following methods:

2 (1) Deprivation of food, water or rest;

3 (2) Use of electricity;

4 (3) Physical punishment resulting in damage, scarring or
5 breakage of skin;

6 (4) Insertion of any instrument into any bodily orifice;

7 (5) Use of martingales; and

8 (6) Use of block and tackle.

9 (b) A person who violates subsection (a) of this section is
10 guilty of a misdemeanor and, upon conviction thereof, shall be
11 fined not less than \$5,000 nor more than \$20,000 or confined in
12 jail not more than one year, or both fined and confined.

NOTE: The purpose of this bill is to make it a misdemeanor for an owner or manager of an elephant to engage in abusive behavior towards the elephant.

This section is new; therefore, it has been completely underscored.