



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2277

Introduced 1/10/2018, by Sen. Michael Connelly

SYNOPSIS AS INTRODUCED:

510 ILCS 70/7.2 new

Amends the Humane Care for Animals Act. Provides that a person is immune from criminal liability for criminal damage to property and criminal trespass to vehicles resulting from his or her forcible entry into a vehicle and from civil liability for property damage if the person: determines the vehicle is locked or there is otherwise no reasonable method for the animal to exit the vehicle; has a good faith belief that forcible entry into the vehicle is necessary because the animal is in imminent danger of suffering harm if not immediately removed from the vehicle, and based upon the circumstances known to the person at the time, the belief is a reasonable one; has made a good faith effort to contact a 9-1-1 emergency telephone system operator, law enforcement, or the fire department, and if contact is not possible prior to forcibly entering the vehicle, the person makes contact as soon as possible after forcibly entering the vehicle; makes a good a faith effort to place a notice on the vehicle's windshield with the person's contact information, the reason entry was made, the location of the animal, and the fact that authorities have been notified; remains with the animal in a safe location until law enforcement or emergency responders arrive; and uses no more force than necessary to enter the vehicle to remove the animal. Effective immediately.

LRB100 16075 SLF 31194 b

1 AN ACT concerning animals.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Humane Care for Animals Act is amended by
5 adding Section 7.2 as follows:

6 (510 ILCS 70/7.2 new)

7 Sec. 7.2. Persons removing an animal from a locked vehicle
8 exempt from criminal and civil liability.

9 (a) In this Section, "harm" means injury or death.

10 (b) Except as provided in subsection (d) of this Section, a
11 person is immune from criminal liability for criminal damage to
12 property under Section 21-1 of the Criminal Code of 2012 and
13 criminal trespass to vehicles under Section 21-2 of the
14 Criminal Code of 2012 resulting from his or her forcible entry
15 into a vehicle and from civil liability for property damage if
16 the person:

17 (1) determines the vehicle is locked or there is
18 otherwise no reasonable method for the animal to exit the
19 vehicle;

20 (2) has a good faith belief that forcible entry into
21 the vehicle is necessary because the animal is in imminent
22 danger of suffering harm if not immediately removed from
23 the vehicle, and based upon the circumstances known to the

1 person at the time, the belief is a reasonable one;

2 (3) has made a good faith effort to contact a 9-1-1
3 emergency telephone system operator, law enforcement, or
4 the fire department, and if contact is not possible prior
5 to forcibly entering the vehicle, the person makes contact
6 as soon as possible after forcibly entering the vehicle;

7 (4) makes a good a faith effort to place a notice on
8 the vehicle's windshield with the person's contact
9 information, the reason entry was made, the location of the
10 animal, and the fact that authorities have been notified;

11 (5) remains with the animal in a safe location until
12 law enforcement or emergency responders arrive; and

13 (6) uses no more force than necessary to enter the
14 vehicle to remove the animal.

15 (c) Nothing in this Section shall effect the person's
16 criminal or civil liability if the person attempts to render
17 aid to the animal in addition to what is authorized under this
18 Section.

19 (d) A person shall not be immune from criminal or civil
20 liability for any damage resulting from the forcible entry of a
21 vehicle for the purpose of removing an animal from the vehicle
22 if the person's actions constitute recklessness or willful or
23 wanton misconduct with regard to the entry of the vehicle.

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.