



Sen. Julie A. Morrison

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LRB100 16008 SLF 36099 a

1 AMENDMENT TO SENATE BILL 2294

2 AMENDMENT NO. _____. Amend Senate Bill 2294 by replacing
3 everything after the enacting clause with the following:

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 a domestic animal from a locked
8 vehicle exempt from criminal and civil liability.

9 (a) In this Section:

10 "Domestic animal" means a dog or cat.

11 "Vehicle" means a motor vehicle or any other vehicle that
12 is used to transport persons or cargo and that is enclosed.

13 (b) A person is immune from criminal liability for criminal
14 damage to property under Section 21-1 of the Criminal Code of
15 2012 and criminal trespass to vehicles under Section 21-2 of
16 the Criminal Code of 2012 resulting from his or her forcible

1 entry into a vehicle and from civil liability for property
2 damage if:

3 (1) a domestic animal was present in the vehicle and
4 the person had a good faith belief that the domestic animal
5 was in imminent danger of suffering bodily harm unless the
6 domestic animal was removed from the vehicle or exited the
7 vehicle;

8 (2) the person contacted a 9-1-1 emergency telephone
9 system operator or otherwise contacted law enforcement,
10 emergency medical services, or animal control prior to
11 forcibly entering the vehicle;

12 (3) the person determined that the vehicle was locked
13 and forcible entry was necessary to enable the person to
14 enter the vehicle or to enable the domestic animal to be
15 removed from or to exit the vehicle;

16 (4) the person remained with the domestic animal until
17 a law enforcement officer, emergency medical service
18 provider, animal control officer, or other emergency
19 medical responder arrived at the scene;

20 (5) the person makes a reasonable attempt to locate the
21 owner or operator of the vehicle;

22 (6) the person used no more force than he or she
23 reasonably believed necessary to enter the vehicle in order
24 to remove the domestic animal or allow the domestic animal
25 to exit the vehicle; and

26 (7) if the person left the scene before the owner or

1 operator of the vehicle returned to the scene, the person
2 placed a notice on the windshield of the vehicle that
3 included his or her name, telephone number, mailing
4 address, the reason he or she entered the vehicle, and the
5 location, if known, of the domestic animal when the person
6 left the scene.

7 Section 10. The Criminal Code of 2012 is amended by adding
8 Section 12-5.03 as follows:

9 (720 ILCS 5/12-5.03 new)

10 Sec. 12-5.03. Removing a person from a locked vehicle
11 exempt from criminal and civil liability.

12 (a) In this Section "vehicle" means a motor vehicle or any
13 other vehicle that is used to transport persons or cargo and
14 that is enclosed.

15 (b) A person is immune from criminal liability for criminal
16 damage to property under Section 21-1 of this Code and criminal
17 trespass to vehicles under Section 21-2 of this Code resulting
18 from his or her forcible entry into a locked vehicle and from
19 civil liability for property damage if:

20 (1) a person was present in the vehicle and he or she
21 had a good faith belief that the person was in imminent
22 danger of suffering bodily harm unless the person was
23 removed from the vehicle or exited the vehicle;

24 (2) he or she contacted a 9-1-1 emergency telephone

1 system operator or otherwise contacted law enforcement or
2 emergency medical services prior to forcibly entering the
3 vehicle;

4 (3) he or she determined that the vehicle was locked
5 and forcible entry was necessary to enable himself or
6 herself to enter the vehicle or enable the person to be
7 removed from or exit the vehicle;

8 (4) he or she remained with the person until a law
9 enforcement officer, emergency medical service provider,
10 or other emergency medical responder arrived at the scene;

11 (5) he or she attempted to make contact with the person
12 perceived to be in danger;

13 (6) he or she made a reasonable attempt to locate the
14 owner or operator of the vehicle;

15 (7) he or she used no more force than he or she
16 reasonably believed necessary to enter the vehicle in order
17 to remove the person or allow the person to exit the
18 vehicle; and

19 (8) if he or she left the scene before the owner or
20 operator of the vehicle returned to the scene, the person
21 placed a notice on the windshield of the vehicle that
22 included his or her name, telephone number, mailing
23 address, the reason he or she entered the vehicle, and the
24 location, if known, of the person when he or she left the
25 scene.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".