



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3888

Introduced 2/26/2009, by Rep. William B. Black

SYNOPSIS AS INTRODUCED:

See Index

Amends the Animal Welfare Act. Provides that a pet shop operator who, through a sale at retail, transfers ownership of a dog or cat to a purchaser may not purchase a dog or cat from a dog dealer, cat dealer, or pet shop operator that must be, but is not, licensed under the Act. Provides that an animal shelter or animal control facility shall not, unless certain requirements are met, adopt out a cat or dog that has not been sterilized and microchipped. Provides that an animal shelter or animal control facility may only release an animal to a person representing an animal shelter if certain requirements are met. Provides that a purchaser who, through a sale at retail, acquires ownership of a dog or cat is entitled to certain specified remedies if certain requirements are met. Increases penalties for certain violations. Makes other changes. Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that the pet shop operator, dog dealer, or cat dealer that makes the sale at retail of a cat or dog commits a violation of the Act if it does not, under certain circumstances, provide a purchaser with remedies to which he or she is entitled. Effective immediately.

LRB096 08392 JDS 18504 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

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 Animal Welfare Act is amended by changing
5 Sections 2, 2.2, 3, 3.1, 3.2, 5, 10, 18, 20, and 20.5 and by
6 adding Sections 2.3, 3.5, 3.6, 4.1, 4.2, 4.3, 4.4, 25, and 30
7 as follows:

8 (225 ILCS 605/2) (from Ch. 8, par. 302)

9 Sec. 2. Definitions. As used in this Act unless the context
10 otherwise requires:

11 "Department" means the Illinois Department of Agriculture.

12 "Director" means the Director of the Illinois Department of
13 Agriculture.

14 "Pet shop operator" means any person who sells, offers to
15 sell, exchange, or offers for adoption with or without charge
16 or donation dogs, cats, birds, fish, reptiles, or other animals
17 customarily obtained as pets in this State. However, a person
18 who sells only such animals that he has produced and raised
19 shall not be considered a pet shop operator under this Act, and
20 a veterinary hospital or clinic operated by a veterinarian or
21 veterinarians licensed under the Veterinary Medicine and
22 Surgery Practice Act of 2004 shall not be considered a pet shop
23 operator under this Act.

1 "Dog dealer" means any person who sells, offers to sell,
2 exchanges ~~exchange~~, or offers for adoption with or without
3 charge or donation dogs in this State. However, a person who
4 sells, offers to sell, exchanges, or offers for adoption, with
5 or without charge, only dogs that he has produced and raised
6 shall not be considered a dog dealer under this Act if such
7 person owns, possesses, or harbors fewer than 6 female dogs
8 capable of reproduction. ~~A, and a~~ veterinary hospital or clinic
9 operated by a veterinarian or veterinarians licensed under the
10 Veterinary Medicine and Surgery Practice Act of 2004 shall not
11 be considered a dog dealer under this Act.

12 "Cat dealer" means any person who sells, offers to sell,
13 exchanges, or offers for adoption with or without charge or
14 donation cats in this State. However, a person who sells,
15 offers to sell, exchanges, or offers for adoption, with or
16 without charge, only cats that he has produced and raised shall
17 not be considered a cat dealer under this Act if such person
18 owns, possesses, or harbors fewer than 6 female cats capable of
19 reproduction. A veterinary hospital or clinic operated by a
20 veterinarian or veterinarians licensed under the Veterinary
21 Medicine and Surgery Practice Act of 2004 shall not be
22 considered a cat dealer under this Act.

23 "Secretary of Agriculture" or "Secretary" means the
24 Secretary of Agriculture of the United States Department of
25 Agriculture.

26 "Person" means any person, firm, corporation, partnership,

1 association or other legal entity, any public or private
2 institution, the State of Illinois, or any municipal
3 corporation or political subdivision of the State.

4 "Kennel operator" means any person who operates an
5 establishment, other than an animal control facility,
6 veterinary hospital, or animal shelter, where dogs or dogs and
7 cats are maintained for boarding, day care, training, or
8 similar purposes for a fee or compensation. ~~or who sells,~~
9 ~~offers to sell, exchange, or offers for adoption with or~~
10 ~~without charge dogs or dogs and cats which he has produced and~~
11 ~~raised. A person who owns, has possession of, or harbors 5 or~~
12 ~~less females capable of reproduction shall not be considered a~~
13 ~~kennel operator.~~

14 "Cattery operator" means any person who operates an
15 establishment, other than an animal control facility or animal
16 shelter, where cats are maintained for boarding, training, or
17 similar purposes for a fee or compensation. ~~or who sells,~~
18 ~~offers to sell, exchange, or offers for adoption with or~~
19 ~~without charges cats which he has produced and raised. A person~~
20 ~~who owns, has possession of, or harbors 5 or less females~~
21 ~~capable of reproduction shall not be considered a cattery~~
22 ~~operator.~~

23 "Animal control facility" means any facility operated by or
24 under contract for the State, county, or any municipal
25 corporation or political subdivision of the State for the
26 purpose of impounding or harboring seized, stray, homeless,

1 abandoned or unwanted dogs, cats, and other animals. "Animal
2 control facility" also means any veterinary hospital or clinic
3 operated by a veterinarian or veterinarians licensed under the
4 Veterinary Medicine and Surgery Practice Act of 2004 which
5 operates for the above mentioned purpose in addition to its
6 customary purposes.

7 "Animal shelter" means a facility operated, owned, or
8 maintained by a duly incorporated humane society, animal
9 welfare society, or other non-profit organization for the
10 purpose of providing for and promoting the welfare, protection,
11 and humane treatment of animals. "Animal shelter" also means
12 any veterinary hospital or clinic operated by a veterinarian or
13 veterinarians licensed under the Veterinary Medicine and
14 Surgery Practice Act of 2004 which operates for the above
15 mentioned purpose in addition to its customary purposes.

16 "Foster home" means an entity that accepts the
17 responsibility for stewardship of animals that are the
18 obligation of an animal shelter or animal control facility, not
19 to exceed 4 fostered animals at any given time. Permits to
20 operate as a "foster home" shall be issued through the animal
21 shelter or animal control facility.

22 "Guard dog service" means an entity that, for a fee,
23 furnishes or leases guard or sentry dogs for the protection of
24 life or property. A person is not a guard dog service solely
25 because he or she owns a dog and uses it to guard his or her
26 home, business, or farmland.

1 "Guard dog" means a type of dog used primarily for the
2 purpose of defending, patrolling, or protecting property or
3 life at a commercial establishment other than a farm. "Guard
4 dog" does not include stock dogs used primarily for handling
5 and controlling livestock or farm animals, nor does it include
6 personally owned pets that also provide security.

7 "Sentry dog" means a dog trained to work without
8 supervision in a fenced facility other than a farm, and to
9 deter or detain unauthorized persons found within the facility.

10 "Probationary status" means the 12-month period following
11 a series of violations of this Act during which any further
12 violation shall result in an automatic 12-month suspension of
13 licensure.

14 "Purchaser" means anyone who, through a sale at retail,
15 acquires the ownership of a dog or cat that is not more than 18
16 months old when purchased.

17 "Sale at retail" means a "sale at retail" as defined in the
18 Retailers' Occupation Tax Act.

19 (Source: P.A. 95-550, eff. 6-1-08.)

20 (225 ILCS 605/2.2) (from Ch. 8, par. 302.2)

21 Sec. 2.2. No dog dealer or cat dealer ~~, kennel operator, or~~
22 ~~cattery operator~~ shall separate a puppy or kitten from its
23 mother, for the purpose of sale, until such puppy or kitten has
24 attained the age of 8 weeks.

25 All licensees under this Act shall maintain records of the

1 origin and sale or adoption of all dogs and cats, and such
2 records shall be made available for inspection by the Secretary
3 or the Department upon demand. Such records must contain proof
4 in proper form of purebreds and their pedigree, and evidence of
5 such proof must be provided to any person acquiring a dog or
6 cat from a licensee under this Act. In addition, guard dog
7 services shall be required to maintain records of transfer of
8 ownership, death, or disappearance of a guard dog or sentry dog
9 used by that guard dog service.

10 (Source: P.A. 89-178, eff. 7-19-95.)

11 (225 ILCS 605/2.3 new)

12 Sec. 2.3. Prohibition on pet shop operators' sale of dogs
13 and cats purchased from unlicensed sources. No pet shop
14 operator who, through a sale at retail, transfers ownership of
15 a dog or cat to a purchaser shall purchase a dog or cat from a
16 dog dealer, cat dealer, or pet shop operator that must be, but
17 is not, licensed under this Act.

18 (225 ILCS 605/3) (from Ch. 8, par. 303)

19 Sec. 3. (a) Except as provided in subsection (b) of this
20 Section, no person shall engage in business as a pet shop
21 operator, dog dealer, cat dealer, kennel operator, or cattery
22 operator, or operate a guard dog service, an animal control
23 facility or animal shelter ~~or any combination thereof~~, in this
24 State without a license therefor issued by the Department. A

1 ~~Only one~~ license shall be required for each type ~~any~~
2 ~~combination~~ of business ~~businesses~~ at each ~~one~~ location, ~~except~~
3 ~~that a separate license shall be required to operate a guard~~
4 ~~dog service~~. Guard dog services that are located outside this
5 State but provide services within this State are required to
6 obtain a license from the Department. Out-of-state guard dog
7 services are required to comply with the requirements of this
8 Act with regard to guard dogs and sentry dogs transported to or
9 used within this State.

10 (b) This Act does not apply to a private detective agency
11 or private security agency licensed under the Private
12 Detective, Private Alarm, Private Security, Fingerprint
13 Vendor, and Locksmith Act of 2004 that provides guard dog or
14 canine odor detection services and does not otherwise operate a
15 kennel for hire.

16 (Source: P.A. 95-613, eff. 9-11-07.)

17 (225 ILCS 605/3.1) (from Ch. 8, par. 303.1)

18 Sec. 3.1. Information on dogs and cats for sale. Every pet
19 shop operator, dog dealer, and cat dealer ~~cattery operator~~
20 shall provide to the purchaser the following information for
21 every dog or cat available for sale or adoption:

22 (a) The age, sex, and weight of the animal.

23 (b) The breed of the animal.

24 (c) A record of vaccinations and veterinary care and
25 treatment.

1 (d) A record of surgical sterilization or lack of surgical
2 sterilization.

3 (e) The name and address of the breeder of the animal.

4 (f) The name and address of any other person who owned or
5 harbored the animal between its birth and the point of sale.

6 (g) A copy of the purchaser's rights, requirements for
7 purchaser's remedies, and purchaser's remedies found in
8 Sections 4.1, 4.3, and 4.4 of this Act.

9 (Source: P.A. 87-819.)

10 (225 ILCS 605/3.2)

11 Sec. 3.2. Foster homes. A person shall not operate a foster
12 home without first obtaining a permit from the animal shelter
13 or animal control facility for which that person will operate
14 the foster home. Upon application and payment of the required
15 fees by the animal shelter or animal control facility, the
16 Department shall issue foster home permits to the animal
17 shelter or animal control facility. The animal shelter or
18 animal control facility shall be responsible for the records
19 and have all the obligations of stewardship for animals in the
20 foster homes to which it issues permits.

21 Foster homes shall provide the care for animals required by
22 this Act and shall report any deviation that might affect the
23 status of the license or permit to the animal shelter.

24 A foster home shall not care for more than 4 fostered
25 animals at any one time. Mothers and offspring under 3 months

1 of age will be considered one unit. Equine mothers and
2 offspring under the age of 1 year will be considered one unit.

3 (Source: P.A. 89-178, eff. 7-19-95.)

4 (225 ILCS 605/3.5 new)

5 Sec. 3.5. Adoption of dogs and cats.

6 (a) An animal shelter or animal control facility shall not
7 adopt out any dog or cat unless it has been sterilized and
8 microchipped. However, an animal shelter or animal control
9 facility may adopt out a dog or cat that has not been
10 sterilized and microchipped if:

11 (1) the adopting owner has executed a written agreement
12 agreeing to have sterilizing and microchipping procedures
13 performed on the animal to be adopted within a specified
14 period of time not to exceed 30 days after the date of the
15 adoption, or

16 (2) the adopting owner has executed a written agreement
17 to have sterilizing and microchipping procedures performed
18 within 14 days after a licensed veterinarian certifies the
19 dog or cat is healthy enough for sterilizing and
20 microchipping procedures, and a licensed veterinarian has
21 certified that the dog or cat is too sick or injured to be
22 sterilized or it would be detrimental to the health of the
23 dog or cat to be sterilized or microchipped at the time of
24 the adoption.

25 (b) An animal shelter or animal control facility may adopt

1 out any dog or cat that is not free of disease, injury, or
2 abnormality if the disease, injury, or abnormality is disclosed
3 in writing to the adopter, and the animal shelter or animal
4 control facility allows the adopter to return the animal to the
5 animal shelter or animal control facility.

6 (c) The requirements of subsections (a) and (b) of this
7 Section do not apply to adoptions subject to Section 11 of the
8 Animal Control Act.

9 (225 ILCS 605/3.6 new)

10 Sec. 3.6. Release of dogs and cats to shelters. No animal
11 shelter or animal control facility may release any animal to an
12 individual representing an animal shelter unless the animal
13 shelter (i) has been licensed, (ii) has a foster care permit
14 issued by the Illinois Department of Agriculture, or (iii) is a
15 representative of a not-for-profit out-of-state organization.

16 (225 ILCS 605/4.1 new)

17 Sec. 4.1. Purchaser's rights. A purchaser who, through a
18 sale at retail, acquires ownership of a dog or cat is entitled
19 to a remedy under this Act if any one or more of the following
20 occur:

21 (1) The dog or cat that the purchaser purchased through
22 a sale at retail dies within 12 months after purchase, and
23 a veterinarian determines that the dog or cat had a
24 congenital or hereditary condition that severely affected

1 the health of the dog or cat.

2 (2) Within 12 months after purchase, the dog or cat
3 that the purchaser purchased through a sale at retail shows
4 symptoms of a congenital or hereditary condition that
5 severely affects the health of the dog or cat, and a
6 veterinarian determines that the dog or cat has that
7 condition.

8 (3) The dog or cat that the purchaser purchased through
9 a sale at retail dies within 2 weeks after the purchase,
10 and a veterinarian determines that the dog or cat had an
11 injury, defect, or illness that (i) was obvious or able to
12 be diagnosed before the purchaser acquired ownership of the
13 dog or cat or (ii) was likely acquired before the purchaser
14 acquired ownership of the dog or cat.

15 (4) The dog or cat dies within 2 weeks after the
16 purchase and a veterinarian determines that the dog or cat
17 died from causes other than accident, injury, or neglect
18 after the purchaser acquired ownership of the dog or cat.

19 (225 ILCS 605/4.2 new)

20 Sec. 4.2. Veterinary health determinations. If a
21 veterinarian recommends that a necropsy is required to
22 determine whether a dog or cat had a congenital or hereditary
23 condition, injury, defect, or illness and if the purchaser is
24 eligible to seek a remedy under this Act, then the kennel
25 operator, dog dealer, or cat dealer that made the sale at

1 retail of the dog or cat shall be responsible to pay the fee
2 for the necropsy. The necropsy shall be performed by a mutually
3 agreed upon veterinarian. If a veterinarian cannot be agreed
4 upon by the parties, then the necropsy must be performed by a
5 board certified veterinary pathologist or at a State or
6 University diagnostic laboratory. Transportation costs, if
7 needed, must be included in the reimbursement for the necropsy
8 fee. The Department shall, by administrative rule, adopt any
9 rules necessary to implement this Section.

10 (225 ILCS 605/4.3 new)

11 Sec. 4.3. Requirements for purchaser's remedy.

12 (a) A purchaser who acquires ownership of a dog or cat
13 through a sale at retail shall not be entitled to a remedy
14 under this Act unless he or she has done all of the following:

15 (1) The purchaser must have agreed to pay a "Pet Lemon
16 Law" fee to be assessed by the pet shop operator, dog
17 dealer, or cat dealer. The "Pet Lemon Law" fee shall be no
18 more than 5% of the price of the dog or cat that is
19 purchased through a sale at retail.

20 (2) The purchaser of the dog or cat must have
21 inoculated the dog or cat against rabies if it is 4 months
22 or more of age.

23 (3) The purchaser must demonstrate that he or she has
24 taken his or her animal to a veterinarian and has complied
25 with the vaccination, heartworm prevention, and other

1 health maintenance recommendations of a veterinarian with
2 whom he or she has a Veterinarian-client relationship as
3 defined in the Veterinary Medicine and Surgery Practice Act
4 of 2004.

5 (225 ILCS 605/4.4 new)

6 Sec. 4.4. Purchaser's remedies.

7 (a) A purchaser who is entitled to a remedy under this Act
8 because of the injury, defect, or illness of a covered dog or
9 cat may elect one of the following remedies:

10 (1) The purchaser may return the dog or cat, if living,
11 to the pet shop operator, dog dealer, or cat dealer that
12 made the sale at retail to the purchaser and may obtain
13 from that person (i) a refund of the purchase price paid by
14 the purchaser and (ii) reimbursement for reasonable
15 veterinary fees incurred by the purchaser, which shall be
16 limited to no more than the purchase price of the animal.

17 (2) The purchaser may return the dog or cat, if living,
18 to the pet shop operator, dog dealer, or cat dealer that
19 made the sale at retail of the dog or cat and obtain from
20 that person: (i) another dog or cat of equivalent value to
21 the purchase price paid by the purchaser and (ii)
22 reimbursement for reasonable veterinary fees incurred by
23 the purchaser, which shall be limited to no more than the
24 purchase price of the animal.

25 (3) The purchaser may keep the dog or cat, if living,

1 and obtain, from the pet shop operator, dog dealer, or cat
2 dealer that made the sale at retail of the dog or cat,
3 reimbursement for reasonable veterinary fees incurred by
4 the purchaser, which shall be limited to no more than the
5 purchase price of the animal.

6 (4) In the case of an already deceased animal, the
7 purchaser may elect to receive from the pet shop operator,
8 dog dealer, or cat dealer that made the sale at retail of
9 the dog or cat to the purchaser a refund of the purchase
10 price paid by the purchaser or another dog or cat of
11 equivalent value to the purchase price paid by the
12 purchaser. In addition, the purchaser shall be entitled to
13 reimbursement for reasonable veterinary fees incurred by
14 the purchaser, which shall be limited to no more than the
15 purchase price of the animal plus, if required under this
16 Act, the cost of a necropsy.

17 (b) The pet shop operator, dog dealer, or cat dealer that
18 makes the sale at retail of a cat or dog commits a violation of
19 the Consumer Fraud and Deceptive Business Practices Act if he
20 or she fails to provide, within 14 days after the purchaser's
21 demand, one of the remedies specified under Section 4.4 to a
22 purchaser who is also qualified to receive a remedy from that
23 entity or individual under Section 4.3.

24 (225 ILCS 605/5) (from Ch. 8, par. 305)

25 Sec. 5. Applications by individuals for original licenses

1 shall be made to the Department, shall be in writing on forms
2 prescribed by the Department and shall be accompanied by the
3 required fee, which shall not be returnable. Any such
4 application shall require such information as in the judgment
5 of the Department will enable the Department to pass on the
6 qualifications of the applicant for a license. It shall
7 include, but need not be limited to information concerning age,
8 citizenship, present residence, location of the business
9 licensed under this Act, including the location of all foster
10 homes, description of facilities to be used, ~~present and~~
11 ~~previous business connections and experience, bank and~~
12 professional references, whether any license of the applicant
13 under this Act or any federal, state, county or local law,
14 ordinance or regulation, relating to dealing in or handling
15 dogs or cats, ever was suspended or revoked and whether the
16 applicant ever has been convicted of a felony. Such felony
17 conviction may be taken into consideration by the Department in
18 determining qualifications for licensing but shall not operate
19 as a bar to licensing.

20 (Source: P.A. 89-178, eff. 7-19-95.)

21 (225 ILCS 605/10) (from Ch. 8, par. 310)

22 Sec. 10. Grounds for discipline. The Department may refuse
23 to issue or renew or may suspend or revoke a license on any one
24 or more of the following grounds:

25 a. Material misstatement or intentional misrepresentation

1 of fact in the application for original license or in the
2 application for any renewal license under this Act;

3 b. A violation of this Act or of any regulations or rules
4 issued pursuant thereto;

5 c. Aiding or abetting another in the violation of this Act
6 or of any regulation or rule issued pursuant thereto;

7 d. Allowing one's license under this Act to be used by an
8 unlicensed person;

9 e. Conviction of any crime an essential element of which is
10 misstatement, fraud or dishonesty or conviction of any felony,
11 if the Department determines, after investigation, that such
12 person has not been sufficiently rehabilitated to warrant the
13 public trust;

14 f. Conviction of a violation of any law of Illinois except
15 minor violations such as traffic violations and violations not
16 related to the disposition of dogs, cats and other animals or
17 any rule or regulation of the Department relating to dogs or
18 cats and sale thereof;

19 g. Making substantial misrepresentations or false promises
20 of a character likely to influence, persuade or induce in
21 connection with the business of a licensee under this Act;

22 h. Pursuing a continued course of misrepresentation of or
23 making false promises through advertising, salesman, agents or
24 otherwise in connection with the business of a licensee under
25 this Act;

26 i. Failure to possess the necessary qualifications or to

1 meet the requirements of the Act for the issuance or holding a
2 license; or

3 j. Proof that the licensee is guilty of gross negligence,
4 incompetency, or cruelty with regard to animals.

5 The Department may refuse to issue or may suspend the
6 license of any person who fails to file a return, or to pay the
7 tax, penalty or interest shown in a filed return, or to pay any
8 final assessment of tax, penalty or interest, as required by
9 any tax Act administered by the Illinois Department of Revenue,
10 until such time as the requirements of any such tax Act are
11 satisfied.

12 The Department may order any licensee to cease operation
13 for a period not to exceed 72 hours to correct deficiencies in
14 order to meet licensing requirements.

15 Any licensee, whose license is relinquished, revoked or
16 suspended for more than 3 months has 2 weeks after the date of
17 the order of relinquishment, revocation, or suspension to
18 transfer all animals to a licensed facility under the Animal
19 Welfare Act. Animals may be transferred to other persons or
20 facilities with the written permission of the Department.
21 Failure to comply with this transfer requirement will result in
22 the forfeiture of all the animals to a licensee or licensees
23 designated by the Department with associated costs to be paid
24 by the licensee who has forfeited the animals.

25 (Source: P.A. 89-178, eff. 7-19-95; 90-385, eff. 8-15-97;
26 90-403, eff. 8-15-97.)

1 (225 ILCS 605/18) (from Ch. 8, par. 318)

2 Sec. 18.

3 The licensee shall:

4 a. Maintain sanitary conditions.

5 b. Insure proper ventilation.

6 c. Provide adequate nutrition.

7 d. Provide humane care and treatment of all animals under
8 his jurisdiction.

9 e. Take reasonable care to release for sale, trade, or
10 adoption only those animals which are free of disease, injuries
11 or abnormalities except as exempted by Section 3.15. A health
12 certificate, meeting the requirements of the Department and
13 issued by a licensed veterinarian for any such animal within 5
14 days before such sale, trade or adoption is prima facie
15 evidence that the licensee has taken reasonable care, as
16 required by this paragraph.

17 f. Inspection of the premises of a licensee to determine
18 compliance with this Act may be made only by the Department.

19 g. Seek veterinary care for seriously ill or injured
20 animals, which may include euthanasia.

21 h. Maintain current rabies vaccination records of all dogs
22 4 months of age and older in possession of the licensee.

23 i. Maintain records as prescribed in regulations of the
24 Department.

25 (Source: P.A. 78-900.)

1 (225 ILCS 605/20) (from Ch. 8, par. 320)

2 Sec. 20. Any person violating any provision of this Act or
3 any rule, regulation or order of the Department issued pursuant
4 to this Act is guilty of a Class C misdemeanor and every day a
5 violation continues constitutes a separate offense. A pet shop
6 operator convicted of a third offense shall be permanently
7 barred from licensure under this Act as a pet shop operator and
8 shall be prohibited from the sale at retail of any dog or cat
9 in this State.

10 (Source: P.A. 89-178, eff. 7-19-95.)

11 (225 ILCS 605/20.5)

12 Sec. 20.5. Administrative fines. The following
13 administrative fines shall be imposed by the Department upon
14 any person or entity who violates any provision of this Act or
15 any rule adopted by the Department under this Act:

16 (1) For the first violation, a fine of \$200.

17 (2) For a second violation that occurs within 3 years
18 after the first violation, a fine of \$500.

19 (3) For a third violation that occurs within 3 years
20 after the first violation, mandatory probationary status
21 and a fine of \$1,000.

22 (4) For a fourth violation and subsequent violations a
23 fine of \$5,000.

24 (Source: P.A. 95-550, eff. 6-1-08.)

1 (225 ILCS 605/25 new)

2 Sec. 25. Suspension. A license issued or granted under this
3 Act shall be suspended for a 12 month period as a result of a
4 third violation of this Act occurring within 3 years after the
5 first violation.

6 (225 ILCS 605/30 new)

7 Sec. 30. Revocation. A license issued or granted under this
8 Act shall be revoked for a 5 year period as result of one or
9 more violations of this Act occurring within 3 years after the
10 starting date of a suspension.

11 Section 10. The Consumer Fraud and Deceptive Business
12 Practices Act is amended by adding Section 2DDD as follows:

13 (815 ILCS 505/2DDD new)

14 Sec. 2DDD. Failure to provide purchaser's remedies under
15 the Animal Welfare Act.

16 (a) A pet shop operator, dog dealer, or cat dealer must
17 provide a purchaser who satisfies the requirements of Section
18 4.3 of the Animal Welfare Act with one of the remedies
19 identified in subsection (a) of Section 4.4 of the Animal
20 Welfare Act.

21 (b) Any person who violates this Section 2DDD commits an
22 unlawful practice within the meaning of this Act.

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

1		INDEX
2		Statutes amended in order of appearance
3	225 ILCS 605/2	from Ch. 8, par. 302
4	225 ILCS 605/2.2	from Ch. 8, par. 302.2
5	225 ILCS 605/2.3 new	
6	225 ILCS 605/3	from Ch. 8, par. 303
7	225 ILCS 605/3.1	from Ch. 8, par. 303.1
8	225 ILCS 605/3.2	
9	225 ILCS 605/3.5 new	
10	225 ILCS 605/3.6 new	
11	225 ILCS 605/4.1 new	
12	225 ILCS 605/4.2 new	
13	225 ILCS 605/4.3 new	
14	225 ILCS 605/4.4 new	
15	225 ILCS 605/5	from Ch. 8, par. 305
16	225 ILCS 605/10	from Ch. 8, par. 310
17	225 ILCS 605/18	from Ch. 8, par. 318
18	225 ILCS 605/20	from Ch. 8, par. 320
19	225 ILCS 605/20.5	
20	225 ILCS 605/25 new	
21	225 ILCS 605/30 new	
22	815 ILCS 505/2DDD new	