

1 AN ACT concerning regulation.

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 Section 3.1 and by adding Sections 3.5 and 3.15 as follows:

6 (225 ILCS 605/3.1) (from Ch. 8, par. 303.1)

7 Sec. 3.1. Information on dogs and cats for sale by a dog
8 dealer or cattery operator. Every ~~pet shop operator,~~ dog
9 dealer~~,~~ and cattery operator shall provide the following
10 information for every dog or cat available for sale:

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

12 (b) The breed of the animal.

13 (c) A record of vaccinations and veterinary care and
14 treatment.

15 (d) A record of surgical sterilization or lack of surgical
16 sterilization.

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

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

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

21 (225 ILCS 605/3.5 new)

22 Sec. 3.5. Information on dogs and cats available for

1 adoption by an animal shelter or animal control facility.

2 (a) An animal shelter or animal control facility must
3 provide to the adopter prior to the time of adoption the
4 following information, to the best of its knowledge, on any dog
5 or cat being offered for adoption:

6 (1) The breed, age, date of birth, sex, and color of
7 the dog or cat if known, or if unknown, the animal shelter
8 or animal control facility shall estimate to the best of
9 its ability.

10 (2) The details of any inoculation or medical treatment
11 that the dog or cat received while under the possession of
12 the animal shelter or animal control facility. This
13 information shall be updated at least once every 7 days.

14 (3) The adoption fee and any additional fees or
15 charges.

16 (4) If the dog or cat was returned by an adopter, then
17 the date and reason for the return.

18 (5) Any known citations or fines issued to the animal
19 shelter or animal control facility within the previous 5
20 years by the Illinois Department of Agriculture, or other
21 regulatory or governmental agency relating to the health or
22 welfare of dogs or cats held or placed for adoption by an
23 animal shelter or animal control facility.

24 (6) The policy of the animal shelter or animal control
25 facility regarding any returns of the adopted dog or cat,
26 warranties, guarantees, or any other policy related to the

1 adopted dog or cat.

2 (7) The license number of the animal shelter or animal
3 control facility issued by the Illinois Department of
4 Agriculture.

5 (b) The information required in subsection (a) shall be
6 provided to the adopter in written form by the animal shelter
7 or animal control facility and shall on its last page have an
8 acknowledgement of disclosures form, which must be signed by
9 the adopter and an authorized representative of the animal
10 shelter or animal control facility at the time of the adoption.
11 The acknowledgement of disclosures form shall include the
12 following:

13 (1) A blank space for the dated signature and printed
14 name of the authorized representative handling the
15 adoption on behalf of the animal shelter or animal control
16 facility, which shall be immediately beneath the following
17 printed statement: "I hereby attest that all of the above
18 information is true and correct to the best of my
19 knowledge, and I have made a diligent effort to obtain this
20 information.";

21 (2) A blank space for the dated signature and printed
22 name of the adopter, which shall be immediately beneath the
23 following statement: "I hereby attest that this disclosure
24 was posted with the dog or cat for adoption and that I have
25 read all the disclosures. I further understand that I am
26 entitled to keep a signed copy of this disclosure."

1 (c) A copy of the disclosures and the signed
2 acknowledgement of disclosure form shall be provided to the
3 adopter and the original copy shall be maintained by the animal
4 shelter or animal control facility for a period of 2 years from
5 the date of adoption.

6 (d) An animal shelter or animal control facility shall post
7 in a conspicuous place in writing on or near the cage of any
8 dog or cat available for adoption the information required by
9 subsection (a) of this Section 3.5.

10 (225 ILCS 605/3.15 new)

11 Sec. 3.15. Disclosures for dogs and cats being sold by pet
12 shops.

13 (a) Prior to the time of sale, every pet shop operator
14 must, to the best of his or her knowledge, provide to the
15 consumer the following information on any dog or cat being
16 offered for sale:

17 (1) The retail price of the dog or cat, including any
18 additional fees or charges.

19 (2) The breed, age, date of birth, sex, and color of
20 the dog or cat.

21 (3) The details of any inoculation or medical treatment
22 that the dog or cat received while under the possession of
23 the pet shop operator. This information shall be updated at
24 least once every 7 days.

25 (4) The name and business address of both the dog or

1 cat breeder and the facility where the dog or cat was born.
2 If the dog or cat breeder is located in the State, then the
3 breeder's license number. If the dog or cat breeder also
4 holds a license issued by the United States Department of
5 Agriculture, the breeder's federal identification number.

6 (5) Any known citations or fines issued to the pet
7 store operator within the previous 5 years by the Illinois
8 Department of Agriculture, or other regulatory or
9 governmental agency relating to the health or welfare of
10 dogs or cats owned or possessed by the pet store operator.

11 (6) Any known citations or fines issued to the breeder,
12 during the 5 years prior to the pet shop operator taking
13 possession of the dog or cat, by the USDA, respective state
14 Department of Agriculture, or other regulatory or
15 governmental agency relating to the health or welfare of
16 the dogs or cats owned or bred by that breeder. The pet
17 shop operator shall not be responsible for updating
18 information provided pursuant to this item (7) after the
19 initial disclosure to a consumer.

20 (7) Any known congenital or hereditary diseases of the
21 parents of the dog or cat, or the parents' other offspring.

22 (8) If eligible for registration with a pedigree
23 registry, then the name and registration numbers of the
24 sire and dam and the address of the pedigree registry where
25 the sire and dam are registered.

26 (9) If the dog or cat was returned by a customer, then

1 the date and reason for the return.

2 (10) The total number of puppies or kittens that were
3 born at the breeder's facility in the prior calendar year.

4 (11) The licensee's policy regarding any guarantees,
5 warranties, refunds or returns.

6 (12) The pet shop operator's license number issued by
7 the Illinois Department of Agriculture.

8 (b) The information required in subsection (a) shall be
9 provided to the customer in written form by the pet shop
10 operator and shall on its last page have an acknowledgement of
11 disclosures form, which must be signed by the customer and the
12 pet shop operator at the time of sale. The acknowledgement of
13 disclosures form shall include the following:

14 (1) A blank space for the dated signature and printed
15 name of the pet shop operator, which shall be immediately
16 beneath the following statement: "I hereby attest that all
17 of the above information is true and correct to the best of
18 my knowledge, and I have made a diligent effort to obtain
19 this information.";

20 (2) A blank space for the customer to sign and print
21 his or her name and the date, which shall be immediately
22 beneath the following statement: "I hereby attest that this
23 disclosure was posted with the dog or cat for sale and that
24 I have read all of the disclosures. I further understand
25 that I am entitled to keep a signed copy of this
26 disclosure."

1 (c) A copy of the disclosures and the signed
2 acknowledgement of disclosure form shall be provided to the
3 customer at the time of sale and the original copy shall be
4 maintained by the pet shop operator for a period of 2 years
5 from the date of sale.

6 (d) A pet shop operator shall post in a conspicuous place
7 in writing on or near the cage of any dog or cat available for
8 sale the information required by subsection (a) of this Section
9 3.15.

10 Section 99. Effective date. This Act takes effect January
11 1, 2011.