

**SB1337**



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**SB1337**

Introduced 2/10/2009, by Sen. James A. DeLeo

**SYNOPSIS AS INTRODUCED:**

510 ILCS 70/3.03-5 new

Amends the Humane Care for Animals Act. Prohibits a person from tethering or confining any covered animal, on a farm, for all or the majority of any day, in a manner that prevents the animal from (i) lying down, standing up, and fully extending his or her limbs or (ii) turning around freely. Creates exemptions from this requirement for (i) scientific or agricultural research; (ii) examination, testing, individual treatment, or operation for veterinary purposes; (iii) transportation; and (iv) rodeo exhibitions, State or county fair exhibitions, 4-H programs, and similar exhibitions. Provides that any person who violates this requirement is guilty of a Class C misdemeanor and upon conviction must be punished by a fine not to exceed \$500, or by imprisonment not to exceed 180 days, or both.

LRB096 07611 JDS 17707 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

**A BILL FOR**

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 3.03-5 as follows:

6 (510 ILCS 70/3.03-5 new)

7 Sec. 3.03-5. Farm Animal Cruelty.

8 (a) For the purposes of this Section, the following terms  
9 have the following meanings:

10 "Calf raised for veal" means any calf of the bovine  
11 species kept for the purpose of producing the food product  
12 described as veal.

13 "Covered animal" means any pig during pregnancy, calf  
14 raised for veal, or egg-laying hen who is kept on a farm.

15 "Egg-laying hen" means any female domesticated  
16 chicken, turkey, duck, goose, or guinea fowl kept for the  
17 purpose of egg production.

18 "Enclosure" means any cage, crate, or other structure  
19 used to confine a covered animal, including what is  
20 commonly described as a "gestation crate" for pigs, a "veal  
21 crate" for calves, or a "battery cage" for egg-laying hens.

22 "Farm" means the land, building, support facilities,  
23 and other equipment wholly or partially used for the

1 commercial production of animals or animal products used  
2 for food or fiber. "Farm" does not include live animal  
3 markets.

4 "Fully extending his or her limbs" means fully  
5 extending all limbs without touching the side of an  
6 enclosure, including, in the case of egg-laying hens, fully  
7 spreading both wings without touching the side of an  
8 enclosure or other egg-laying hens.

9 "Person" means any individual, firm, partnership,  
10 joint venture, association, limited liability company,  
11 corporation, estate, trust, receiver, or syndicate.

12 "Pig during pregnancy" means any pregnant pig of the  
13 porcine species kept for the primary purpose of breeding".

14 "Turning around freely" means turning in a complete  
15 circle without any impediment, including a tether, and  
16 without touching the side of an enclosure.

17 (b) In addition to other applicable provisions of law, a  
18 person shall not tether or confine any covered animal, on a  
19 farm, for all or the majority of any day, in a manner that  
20 prevents the animal from (i) lying down, standing up, and fully  
21 extending his or her limbs or (ii) turning around freely.

22 (c) The prohibition of subsection (b) of this Section shall  
23 not apply during any of the following:

24 (1) Scientific or agricultural research.

25 (2) Examination, testing, individual treatment, or  
26 operation for veterinary purposes.

1           (3) Transportation.

2           (4) Rodeo exhibitions, State or county fair  
3           exhibitions, 4-H programs, and similar exhibitions.

4           (d) Any person who violates any provision of this Section  
5           is guilty of a Class C misdemeanor and upon conviction shall be  
6           punished by a fine not to exceed \$500, or by imprisonment not  
7           to exceed 180 days, or both.

8           (e) The provisions of this Section are in addition to, and  
9           not in lieu of, any other laws protecting animal welfare. This  
10           Section shall not be construed to limit any State law or  
11           regulations protecting the welfare of animals, nor shall  
12           anything in this Section prevent units of local government,  
13           including home rule units, from adopting and enforcing their  
14           own animal welfare laws and regulations.

15           (f) If any portion of this Section or the application of  
16           any portion of this Section to any person or circumstance is  
17           held invalid or unconstitutional, that invalidity or  
18           unconstitutionality shall not affect other provisions of this  
19           Section or any other portion of this Act that can be given  
20           effect without the unconstitutional provision or application.  
21           To that end, the provisions of this Section are severable from  
22           the remainder of the Act.