

SB2580



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2580

Introduced 1/21/2010, by Sen. Linda Holmes

SYNOPSIS AS INTRODUCED:

510 ILCS 70/3.035 new

Amends the Humane Care for Animals Act. Makes it unlawful to tether a dog outdoors unless certain requirements are met. Provides penalties for violations. Defines "tether".

LRB096 15129 JDS 30185 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL 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 3.035 as follows:

6 (510 ILCS 70/3.035 new)

7 Sec. 3.035. Tethering.

8 (a) As used in this Section, "tether" means to restrain a
9 dog by tying it to any object or structure, including without
10 limitation a house, tree, fence, post, garage, shed, or clothes
11 line, by any means, including without limitation a chain, rope,
12 cord, leash, or running line.

13 (b) A dog may be tethered outdoors only if all of the
14 following requirements are met:

15 (1) The dog must be visible to the responsible party.

16 (2) The dog must be tethered in such a manner as to
17 prevent injury, including strangulation.

18 (3) The dog must be at least 6 months of age.

19 (4) The dog must not suffer from illness or injury that
20 is exacerbated by being tethered.

21 (5) The dog must have access at all times to drinking
22 water, shelter, and a dry surface.

23 (6) If multiple dogs are tethered on the same property,

1 each dog must be tethered separately, and each dog must
2 have a separate food and water bowl. Each dog must also
3 have access to separate shelter. If multiple dogs are
4 tethered, sufficient space must be placed between the leads
5 to ensure that the leads do not tangle.

6 (7) The lead must not exceed one-eighth of the dog's
7 body weight and must not be made of a tow chain or log
8 chain, which is any chain that is more than one-quarter of
9 an inch in width.

10 (8) The lead must be 15 feet or longer in length.

11 (9) The lead must be attached to the dog by a
12 properly-fitting collar and must not wrap directly around
13 the dog's neck. Pinch, prong, or choke-type collars shall
14 not be used to tether a dog.

15 (10) The length and location of the lead must prevent
16 the dog from moving outside of its owner's property.

17 (c) Even if all of the requirements of subsection (b) are
18 met, it shall be unlawful to tether a dog outdoors:

19 (1) between the hours of 10 p.m. and 6 a.m.; and

20 (2) during extreme weather conditions, including
21 conditions in which a heat or wind chill advisory or a
22 severe weather warning has been issued for the jurisdiction
23 by the National Weather Service.

24 (d) Nothing in this Section shall be construed to prohibit
25 a person from walking a dog with a hand-held leash.

26 (e) A person convicted of violating this Section is guilty

1 of a Class A misdemeanor. A second or subsequent violation is a
2 Class 4 felony with every day that a violation continues
3 constituting a separate offense. If the convicted person is a
4 juvenile or a companion animal hoarder, the court must order
5 the convicted person to undergo a psychological or psychiatric
6 evaluation and to undergo treatment that the court determines
7 to be appropriate after due consideration of the evaluation.