

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 on the person's residence or business, by any means,
12 including without limitation a chain, rope, cord, leash, or
13 running line.

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

16 (1) The dog must not suffer from a condition that is
17 known by the owner and that is exacerbated by being
18 tethered.

19 (2) If multiple dogs are tethered on the same property,
20 each dog must be tethered separately. If multiple dogs are
21 tethered, sufficient space must be placed between the leads
22 to ensure that the leads do not tangle.

23 (3) The lead must not be made of a tow chain or log

1 chain.

2 (4) The lead must measure 10 feet or longer in length.
3 For the purposes of calculating length under this Section,
4 the enforcing agency shall, after determining the total
5 length of the lead, round remaining fractional portions of
6 a foot greater than or equal to half of a foot up to the
7 next whole foot.

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

12 (6) The length and location of the lead must prevent
13 the dog from moving outside of its owner's property.

14 (c) Even if all of the requirements of subsection (b) are
15 met, it shall be unlawful to tether a dog outdoors between the
16 hours of 10 pm and 6 am; except that a dog of any age may be
17 temporarily tethered, tied, or chained outdoors for a time
18 period not exceeding 15 minutes or a dog may be tethered if it
19 has access to adequate shelter and protection from the weather.

20 (d) Nothing in this Section shall be construed to prohibit
21 the following:

22 (1) a person from walking a dog with a hand-held leash;

23 (2) conduct that is directly related to the cultivating
24 of agricultural products, including shepherding or herding
25 cattle or livestock, if the restraint is reasonably
26 necessary for the safety of the dog; or

1 (3) tethering of a dog while at an organized and lawful
2 animal function such as hunting, obedience training, field
3 and water training, performance and conformation events,
4 or law enforcement training, or while in the pursuit of
5 working or competing in those endeavors.

6 (e) A person convicted of violating this Section is guilty
7 of a Class B misdemeanor. A second or subsequent violation is a
8 Class 4 felony with every day that a violation continues
9 constituting a separate offense. If the convicted person is a
10 juvenile or a companion animal hoarder, the court must order
11 the convicted person to undergo a psychological or psychiatric
12 evaluation and to undergo treatment that the court determines
13 to be appropriate after due consideration of the evaluation.

14 (f) Nothing in this Section shall be construed to supersede
15 the duties of an owner as enumerated in Section 3.