



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1166

Introduced 02/08/11, by Rep. Patrick J. Verschoore

#### SYNOPSIS AS INTRODUCED:

510 ILCS 5/3  
510 ILCS 70/2.10

from Ch. 8, par. 353

Amends the Humane Care for Animals Act. Provides that the definition of a "companion animal hoarder" means a person who is in possession of 7 or more companion animals in addition to other requirements. Amends the Animal Control Act. Provides that a person must obtain a permit from the Board to possess 7 or more companion animals. Provides that a failure to receive a permit for the possession of 7 or more companion animals is a violation and a person is guilty of a Class B misdemeanor and a second or subsequent violation is a Class 4 felony with every day that a violation continues constituting a separate offense.

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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 Control Act is amended by changing  
5 Section 3 as follows:

6 (510 ILCS 5/3) (from Ch. 8, par. 353)

7 Sec. 3. The County Board Chairman with the consent of the  
8 County Board shall appoint an Administrator. Appointments  
9 shall be made as necessary to keep this position filled at all  
10 times. The Administrator may appoint as many Deputy  
11 Administrators and Animal Control Wardens to aid him or her as  
12 authorized by the Board. The compensation for the  
13 Administrator, Deputy Administrators, and Animal Control  
14 Wardens shall be fixed by the Board. The Administrator may be  
15 removed from office by the County Board Chairman, with the  
16 consent of the County Board.

17 The Board shall provide necessary personnel, training,  
18 equipment, supplies, and facilities, and shall operate pounds  
19 or contract for their operation as necessary to effectuate the  
20 program. The Board may enter into contracts or agreements with  
21 persons to assist in the operation of the program and may  
22 establish a county animal population control program.

23 The Board shall be empowered to utilize monies from their

1 General Corporate Fund to effectuate the intent of this Act.

2 The Board is authorized by ordinance to require the  
3 registration and may require microchipping of dogs and cats.  
4 The Board shall impose an individual dog or cat registration  
5 fee with a minimum differential of \$10 for intact dogs or cats.  
6 Ten dollars of the differential shall be placed either in a  
7 county animal population control fund or in the State's Pet  
8 Population Control Fund. If the money is placed in the county  
9 animal population control fund it shall be used to (i) spay,  
10 neuter, or sterilize adopted dogs or cats or (ii) spay or  
11 neuter dogs or cats owned by low income county residents who  
12 are eligible for the Food Stamp Program. All persons selling  
13 dogs or cats or keeping registries of dogs or cats shall  
14 cooperate and provide information to the Administrator as  
15 required by Board ordinance, including sales, number of  
16 litters, and ownership of dogs and cats. If microchips are  
17 required, the microchip number may serve as the county animal  
18 control registration number.

19 A person must obtain a permit from the Board to possess 7  
20 or more companion animals, as defined in the Humane Care for  
21 Animals Act. Failure to receive a permit for the possession of  
22 7 or more companion animals is a violation of this Section and  
23 a person is guilty of a Class B misdemeanor. A second or  
24 subsequent violation is a Class 4 felony with every day that a  
25 violation continues constituting a separate offense.

26 In obtaining information required to implement this Act,

1 the Department shall have power to subpoena and bring before it  
2 any person in this State and to take testimony either orally or  
3 by deposition, or both, with the same fees and mileage and in  
4 the same manner as prescribed by law for civil cases in courts  
5 of this State.

6 The Director shall have power to administer oaths to  
7 witnesses at any hearing which the Department is authorized by  
8 law to conduct, and any other oaths required or authorized in  
9 any Act administered by the Department.

10 This Section does not apply to feral cats.

11 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

12 Section 10. The Humane Care for Animals Act is amended by  
13 changing Section 2.10 as follows:

14 (510 ILCS 70/2.10)

15 Sec. 2.10. Companion animal hoarder. "Companion animal  
16 hoarder" means a person who (i) possesses 7 or more ~~a large~~  
17 ~~number of~~ companion animals; (ii) fails to or is unable to  
18 provide what he or she is required to provide under Section 3  
19 of this Act; (iii) keeps the companion animals in a severely  
20 overcrowded environment; and (iv) displays an inability to  
21 recognize or understand the nature of or has a reckless  
22 disregard for the conditions under which the companion animals  
23 are living and the deleterious impact they have on the  
24 companion animals' and owner's health and well-being.

1 (Source: P.A. 92-454, eff. 1-1-02.)