



Sen. Pamela J. Althoff

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09700SB1637sam001

LRB097 06001 CEL 52545 a

1 AMENDMENT TO SENATE BILL 1637

2 AMENDMENT NO. _____. Amend Senate Bill 1637 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Animal Control Act is amended by changing
5 Sections 10 and 35 as follows:

6 (510 ILCS 5/10) (from Ch. 8, par. 360)

7 Sec. 10. Impoundment; redemption. When dogs or cats are
8 apprehended and impounded, they must be scanned for the
9 presence of a microchip and examined for other currently
10 acceptable methods of identification, including, but not
11 limited to, identification tags, tattoos, and rabies license
12 tags. The examination for identification shall be done within
13 24 hours after the intake of each dog or cat. The Administrator
14 shall make every reasonable attempt to contact the owner as
15 defined by Section 2.16 as soon as possible. The Administrator
16 shall give notice of not less than 7 business days to the owner

1 prior to disposal of the animal. Such notice shall be mailed to
2 the last known address of the owner. Testimony of the
3 Administrator, or his or her authorized agent, who mails such
4 notice shall be evidence of the receipt of such notice by the
5 owner of the animal. A mailed notice shall remain the primary
6 means of owner contact; however, the Administrator shall also
7 attempt to contact the owner by any other contact information,
8 such as by telephone or email address, provided by the
9 microchip or other method of identification found on the dog or
10 cat. If the dog or cat has been microchipped and the primary
11 contact listed by the chip manufacturer cannot be located or
12 refuses to reclaim the dog or cat, an attempt shall be made to
13 contact any secondary contacts listed by the chip manufacturer
14 prior to adoption, transfer, or euthanization. Prior to
15 transferring the dog or cat to another humane shelter, rescue
16 group, or euthanization, the dog or cat shall be scanned again
17 for the presence of a microchip and examined for other means of
18 identification. If a second scan provides the same identifying
19 information as the initial intake scan and the owner has not
20 been located or refuses to reclaim the dog or cat, the animal
21 control facility may proceed with the adoption, transfer, or
22 euthanization.

23 In case the owner of any impounded dog or cat desires to
24 make redemption thereof, he or she may do so by doing the
25 following:

- 26 a. Presenting proof of current rabies inoculation and

1 registration, if applicable.

2 b. Paying for the rabies inoculation of the dog or cat
3 and registration, if applicable.

4 c. Paying the pound for the board of the dog or cat for
5 the period it was impounded.

6 d. Paying into the Animal Control Fund an additional
7 impoundment fee as prescribed by the Board as a penalty for
8 the first offense and for each subsequent offense.

9 e. Paying a \$25 public safety fine to be deposited into
10 the Pet Population Control Fund; the fine shall be waived
11 if it is the dog's or cat's first impoundment and the owner
12 has the animal spayed or neutered within 14 days.

13 f. Paying for microchipping and registration if not
14 already done.

15 The payments required for redemption under this Section
16 shall be in addition to any other penalties invoked under this
17 Act and the Illinois Public Health and Safety Animal Population
18 Control Act. An animal control agency shall assist and share
19 information with the Director of Public Health in the
20 collection of public safety fines.

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

22 (510 ILCS 5/35)

23 Sec. 35. Liability.

24 (a) Any municipality or political subdivision allowing
25 feral cat colonies and trap, sterilize, and return programs to

1 help control cat overpopulation shall be immune from criminal
2 liability and shall not be civilly liable, except for willful
3 and wanton misconduct, for damages that may result from a feral
4 cat. Any municipality or political subdivision allowing dog
5 parks shall be immune from criminal liability and shall not be
6 civilly liable, except for willful and wanton misconduct, for
7 damages that may result from occurrences in the dog park.

8 (b) Any veterinarian or animal shelter or animal control
9 facility who in good faith contacts the registered owner of a
10 microchipped animal shall be immune from criminal liability and
11 shall not, as a result of his or her acts or omissions, except
12 for willful and wanton misconduct, be liable for civil damages.

13 (c) Any veterinarian who sterilizes feral cats and any
14 feral cat caretaker who traps cats for a trap, sterilize, and
15 return program shall be immune from criminal liability and
16 shall not, as a result of his or her acts or omissions, except
17 for willful and wanton misconduct, be liable for civil damages.

18 (d) Any animal shelter or animal control facility worker
19 who microchips an animal shall be immune from criminal
20 liability and shall not, as a result of his or her acts or
21 omissions, except for willful and wanton misconduct, be liable
22 for civil damages.

23 (e) Any animal shelter or animal control worker who deems
24 it dangerous to scan an animal for a microchip or examine an
25 animal for other identification due to the fractious display of
26 the animal shall be immune from criminal liability and shall

1 not, as a result of his or her acts or omissions, except for
2 willful and wanton misconduct, be liable for civil damages.

3 (Source: P.A. 94-639, eff. 8-22-05.)

4 Section 99. Effective date. This Act takes effect January
5 1, 2012.".