

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 Illinois Domestic Animals Running At Large  
5 Act is amended by changing Sections 1.1, 1.2, and 3.1 as  
6 follows:

7 (510 ILCS 55/1.1) (from Ch. 8, par. 1.1)

8 Sec. 1.1. Definitions. As used in this Act, unless the  
9 context otherwise requires:

10 "Livestock", for the purposes of this Act only, means  
11 bison, cattle, swine, sheep, goats, equidae, camelids,  
12 ratites, or fowl ~~or geese~~.

13 "Owner" means any person who (a) has a right of property in  
14 an animal, (b) keeps or harbors an animal, (c) has an animal in  
15 his care, or (d) acts as custodian of an animal.

16 "Person" means any individual, firm, association,  
17 partnership, corporation, or other legal entity, any public or  
18 private institution, the State of Illinois, or any municipal  
19 corporation or political subdivision of the State.

20 "Running at large" or "run at large" means livestock that  
21 strays from confinement or restraint and from the limits of the  
22 owner.

23 (Source: P.A. 84-28.)

1 (510 ILCS 55/1.2) (from Ch. 8, par. 1.2)

2 Sec. 1.2. A notice of a violation of this Act shall be  
3 given to the person or owner of livestock running at large if  
4 known and a maximum of 24 hours may be granted in which to make  
5 the necessary corrections if the violation is an accidental  
6 occurrence and an investigation reveals no identifiable  
7 individual at fault. Any livestock allowed to run at large may  
8 be impounded at a facility capable of restraining such  
9 livestock. A notice of impoundment shall be delivered to the  
10 owner of such livestock in person or by certified mail.

11 Law enforcement officials such as State Police, County  
12 Sheriffs, ~~or~~ municipal police officers, animal control  
13 administrators, animal control officers, or authorized agents  
14 of the Illinois Department of Agriculture, or authorized agents  
15 of the Illinois Department of Natural Resources, or the owner  
16 or occupier of land may give notice and cause stray animals  
17 which trespass to be impounded.

18 The person or persons having stray livestock impounded  
19 shall make every reasonable effort to notify the owner or  
20 keeper of the impounded livestock where such livestock is  
21 impounded.

22 The person or persons requesting impoundment shall be held  
23 harmless of any liability for injury to or for any financial  
24 responsibility for such animals.

25 Stray animals may be impounded at any public stockyards,

1 livestock auction markets or any other facilities willing to  
2 accept such animals for impoundment. The impounding facility  
3 and its owner or owners shall not be held liable for any injury  
4 or accrue any financial responsibility for such impounded  
5 animals.

6 Any expense incurred in such impoundment shall become a  
7 lien on the livestock impounded and must be discharged before  
8 the livestock are released from the facility. The livestock may  
9 be released to the owner prior to the expiration of the  
10 impoundment period if impoundment costs are satisfied and the  
11 owner provides evidence that he is capable of restraining the  
12 livestock from running at large. If the owner refuses or fails  
13 to provide such restraints, or the impounded animals are not  
14 claimed and incurred costs paid within the period of  
15 impoundment, such animals shall be sold either at a public  
16 auction, or through a public stockyard or a livestock auction  
17 market, offered for adoption, or humanely euthanized in  
18 accordance with this Section. Before any livestock can be sold,  
19 offered for adoption, or humanely euthanized as herein  
20 provided, the person or court requesting the impoundment shall  
21 have published notice of the intended sale, adoption, or  
22 euthanization thereof in a newspaper of general circulation in  
23 the area where the impounded animals were found to be running  
24 at large. If the impounded livestock is not claimed within 10  
25 days after the date of publication of such notice, the  
26 livestock may be sold, offered for adoption, or humanely

1  euthanized in accordance with this Section. The proceeds of the  
2 sale shall be applied first to discharge the lien and costs  
3 associated with the sale of the livestock, and any balance  
4 shall be paid to the owner. If any court of competent  
5 jurisdiction issues any order concerning any impounded animal,  
6 such animal shall immediately pass to the jurisdiction and  
7 possession of the court bailiff of the jurisdiction in which  
8 the order was issued.

9  If the lien and costs of the associated sale of the  
10 livestock is determined to exceed the expected value of the  
11 animal, then the animal may be deemed adoptable by the animal  
12 control facility and may be offered for adoption. If no such  
13 placement is available, then the animal may be humanely  
14 euthanized.

15 (Source: P.A. 89-445, eff. 2-7-96.)

16 (510 ILCS 55/3.1) (from Ch. 8, par. 3.1)

17 Sec. 3.1. Any person who violates this Act shall be guilty  
18 of a Class C misdemeanor, except a 10th or subsequent violation  
19 of this Act is a Class 4 felony and the court may order the  
20 livestock impounded. ~~Each day of violation shall constitute a~~  
21 ~~separate offense.~~

22 In the event the person who violates this Act is a  
23 corporation or partnership, any officer, director, manager or  
24 managerial agent of the partnership or corporation who violates  
25 this Section or causes the partnership or corporation to

1 violate this Section shall be guilty of a Class C misdemeanor.

2 (Source: P.A. 84-28.)

3 Section 99. Effective date. This Act takes effect upon

4 becoming law.