



Rep. Daniel J. Burke

Filed: 4/3/2014

09800HB3768ham003

LRB098 14784 MLW 58200 a

1 AMENDMENT TO HOUSE BILL 3768

2 AMENDMENT NO. _____. Amend House Bill 3768, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Humane Care for Animals Act is amended by
6 adding Section 2.01b-1 and by changing Section 3.02 as follows:

7 (510 ILCS 70/2.01b-1 new)

8 Sec. 2.01b-1. In the presence of a minor. "In the presence
9 of a minor" means in the physical presence of a person under 18
10 years of age or knowing or having reason to know that a person
11 under 18 years of age is present and may see or hear an act
12 constituting a violation.

13 (510 ILCS 70/3.02)

14 Sec. 3.02. Aggravated cruelty.

15 (a) No person may intentionally commit an act that causes a

1 companion animal to suffer serious injury or death. Aggravated
2 cruelty does not include euthanasia of a companion animal
3 through recognized methods approved by the Department of
4 Agriculture unless prohibited under subsection (b).

5 (a-5) No person may knowingly beat, cruelly treat, torment,
6 starve, overwork, or otherwise abuse any companion animal in
7 the presence of a minor.

8 (b) No individual, except a licensed veterinarian as
9 exempted under Section 3.09, may knowingly or intentionally
10 euthanize or authorize the euthanasia of a companion animal by
11 use of carbon monoxide.

12 (c) A person convicted of violating Section 3.02 is guilty
13 of a Class 4 felony. A second or subsequent violation is a
14 Class 3 felony. In addition to any other penalty provided by
15 law, upon conviction for violating this Section, the court may
16 order the convicted person to undergo a psychological or
17 psychiatric evaluation and to undergo any treatment at the
18 convicted person's expense that the court determines to be
19 appropriate after due consideration of the evaluation. If the
20 convicted person is a juvenile or a companion animal hoarder,
21 the court must order the convicted person to undergo a
22 psychological or psychiatric evaluation and to undergo
23 treatment that the court determines to be appropriate after due
24 consideration of the evaluation.

25 (Source: P.A. 96-780, eff. 8-28-09.)"