

104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2410

Introduced 2/4/2025, by Rep. Barbara Hernandez

SYNOPSIS AS INTRODUCED:

225 ILCS 605/3.6
510 ILCS 70/2.09
510 ILCS 72/57

Amends the Animal Welfare Act. Provides that nothing in the Act permits the euthanization of a dog or cat or other pet in an animal shelter except in accordance with the requirements under certain provisions of the Humane Euthanasia in Animal Shelters Act. Amends the Humane Care for Animals Act. In the definition of "humanely euthanized", provides that "humanely euthanized" does not include euthanization of a dog, cat, or other pet in an animal shelter for any reason other than health reasons, attitude issues, or aggressiveness. Amends the Humane Euthanasia in Animal Shelters Act. Provides that, notwithstanding any other provision of any law, no person may euthanize a cat, dog, or other pet in an animal shelter unless the euthanization is for health reasons, attitude issues, or aggressiveness. Effective January 1, 2026.

LRB104 08646 BDA 18699 b

1 AN ACT concerning euthanasia.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Animal Welfare Act is amended by changing
5 Section 3.6 as follows:

6 (225 ILCS 605/3.6)

7 Sec. 3.6. Acceptance of stray dogs and cats.

8 (a) No animal shelter may accept a stray dog or cat unless
9 the animal is reported by the shelter to the animal control or
10 law enforcement of the county in which the animal is found by
11 the next business day. An animal shelter may accept animals
12 from: (1) the owner of the animal where the owner signs a
13 relinquishment form which states he or she is the owner of the
14 animal; (2) an animal shelter licensed under this Act; or (3)
15 an out-of-state animal control facility, rescue group, or
16 animal shelter that is duly licensed in their state or is a
17 not-for-profit organization.

18 (b) When stray dogs and cats are accepted by an animal
19 shelter, they must be scanned for the presence of a microchip
20 and examined for other currently-acceptable methods of
21 identification, including, but not limited to, identification
22 tags, tattoos, and rabies license tags. The examination for
23 identification shall be done within 24 hours after the intake

1 of each dog or cat. The animal shelter shall notify the owner
2 and transfer any dog with an identified owner to the animal
3 control or law enforcement agency in the jurisdiction in which
4 it was found or the local animal control agency for
5 redemption.

6 (c) If no transfer can occur, the animal shelter shall
7 make every reasonable attempt to contact the owner, agent, or
8 caretaker as soon as possible. The animal shelter shall give
9 notice of not less than 7 business days to the owner, agent, or
10 caretaker prior to disposal of the animal. The notice shall be
11 mailed to the last known address of the owner, agent, or
12 caretaker. Testimony of the animal shelter, or its authorized
13 agent, who mails the notice shall be evidence of the receipt of
14 the notice by the owner, agent, or caretaker of the animal. A
15 mailed notice shall remain the primary means of owner, agent,
16 or caretaker contact; however, the animal shelter shall also
17 attempt to contact the owner, agent, or caretaker by any other
18 contact information, such as by telephone or email address,
19 provided by the microchip or other method of identification
20 found on the dog or cat. If the dog or cat has been
21 microchipped and the primary contact listed by the chip
22 manufacturer cannot be located or refuses to reclaim the dog
23 or cat, an attempt shall be made to contact any secondary
24 contacts listed by the chip manufacturer or the purchaser of
25 the microchip if the purchaser is a nonprofit organization,
26 animal shelter, animal control facility, pet store, breeder,

1 or veterinary office prior to adoption, transfer, or
2 euthanization. Prior to transferring any stray dog or cat to
3 another humane shelter, pet store, rescue group, or
4 euthanization, the dog or cat shall be scanned again for the
5 presence of a microchip and examined for other means of
6 identification. If a second scan provides the same identifying
7 information as the initial intake scan and the owner, agent,
8 or caretaker has not been located or refuses to reclaim the dog
9 or cat, the animal shelter may proceed with adoption,
10 transfer, or euthanization.

11 (d) When stray dogs and cats are accepted by an animal
12 shelter and no owner can be identified, the shelter shall hold
13 the animal for the period specified in local ordinance prior
14 to adoption, transfer, or euthanasia. The animal shelter shall
15 allow access to the public to view the animals housed there. If
16 a dog is identified by an owner who desires to make redemption
17 of it, the dog shall be transferred to the local animal control
18 for redemption. If no transfer can occur, the animal shelter
19 shall proceed pursuant to Section 3.7. Upon lapse of the hold
20 period specified in local ordinance and no owner can be
21 identified, ownership of the animal, by operation of law,
22 transfers to the shelter that has custody of the animal.

23 (e) No representative of an animal shelter may enter
24 private property and remove an animal without permission from
25 the property owner and animal owner, nor can any
26 representative of an animal shelter direct another individual

1 to enter private property and remove an animal unless that
2 individual is an approved humane investigator (approved by the
3 Department) operating pursuant to the provisions of the Humane
4 Care for Animals Act.

5 (f) Nothing in this Section limits an animal shelter and
6 an animal control facility who, through mutual agreement, wish
7 to enter into an agreement for animal control, boarding,
8 holding, measures to improve life-saving, or other services
9 provided that the agreement requires parties adhere to the
10 provisions of the Animal Control Act, the Humane Euthanasia in
11 Animal Shelters Act, and the Humane Care for Animals Act.

12 (g) Nothing in this Act permits the euthanization of a
13 dog, cat, or other pet in an animal shelter except in
14 accordance with the requirements under Section 57 of the
15 Humane Euthanasia in Animal Shelters Act.

16 (Source: P.A. 99-310, eff. 1-1-16; 100-322, eff. 8-24-17;
17 100-870, eff. 1-1-19.)

18 Section 10. The Humane Care for Animals Act is amended by
19 changing Section 2.09 as follows:

20 (510 ILCS 70/2.09)

21 Sec. 2.09. Humanely euthanized. "Humanely euthanized"
22 means the painless administration of a lethal dose of an agent
23 or method of euthanasia as prescribed in the Report of the
24 American Veterinary Medical Association Panel on Euthanasia

published in the Journal of the American Veterinary Medical Association, March 1, 2001 (or any successor version of that Report), that causes the painless death of an animal, except as provided in this definition. Animals must be handled prior to administration of the agent or method of euthanasia in a manner to avoid undue apprehension by the animal. "Humanely euthanized" does not include euthanization of a dog, cat, or other pet in an animal shelter for any reason other than health reasons, attitude issues, or aggressiveness.

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

Section 15. The Humane Euthanasia in Animal Shelters Act is amended by changing Section 57 as follows:

(510 ILCS 72/57)

Sec. 57. Procedures for euthanasia.

(a) Only euthanasia drugs shall be used for the purpose of humanely euthanizing injured, sick, homeless, or unwanted companion animals in an animal shelter or an animal control facility licensed under the Illinois Animal Welfare Act, except that a licensed veterinarian may euthanize companion animals in such a shelter or facility by the use of carbon monoxide if the veterinarian complies with the requirements set forth in Section 3.09 of the Humane Care for Animals Act. Euthanasia by a certified euthanasia technician shall be conducted only within the physical premises of an animal

1 shelter licensed under the Animal Welfare Act or an animal
2 control facility licensed under the Animal Welfare Act, except
3 that a certified euthanasia technician employed by an animal
4 control facility licensed under the Animal Welfare Act may
5 euthanize animals in the field in emergency situations.
6 Notwithstanding any other provision of any law, no person may
7 euthanize a cat, dog, or other pet in an animal shelter unless
8 the euthanization is for health reasons, attitude issues, or
9 aggressiveness.

10 (b) (Blank).

11 (c) Animals cannot be transported beyond State lines for
12 the sole purpose of euthanasia unless the euthanasia is
13 performed by a licensed veterinarian in a manner that is
14 consistent with subsection (a) of this Section.

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

16 Section 99. Effective date. This Act takes effect January
17 1, 2026.