



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4977

Introduced 1/21/2010, by Rep. Thomas Holbrook

SYNOPSIS AS INTRODUCED:

510 ILCS 70/3.01

from Ch. 8, par. 703.01

Amends the Humane Care for Animals Act. Provides that any person who, while lawfully on a vacated property, notices a companion animal housed on that property must notify either the county animal control or the local police department. Makes a violation of this provision a Class B misdemeanor. Authorizes animal control officers and law enforcement officers who are responding to such a notification to enter the vacated property by any reasonable means under the circumstances to remove and render aid to the abandoned animal. Effective immediately.

LRB096 16768 JDS 32068 b

CORRECTIONAL
BUDGET AND
IMPACT 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 Humane Care for Animals Act is amended by
5 changing Section 3.01 as follows:

6 (510 ILCS 70/3.01) (from Ch. 8, par. 703.01)

7 Sec. 3.01. Cruel treatment.

8 (a) No person or owner may beat, cruelly treat, torment,
9 starve, overwork or otherwise abuse any animal.

10 (b) No owner may abandon any animal where it may become a
11 public charge or may suffer injury, hunger or exposure.

12 (c) Any person who, while lawfully on a property that he or
13 she knows has been vacated due to the termination of a lease or
14 rental agreement, foreclosure, or some other cause, notices a
15 companion animal housed on the property shall notify either the
16 county animal control or the local police department. A person
17 shall not be civilly or criminally liable for notifying the
18 animal control entity or law enforcement agency. An animal
19 control officer or law enforcement officer who is responding to
20 a notification may enter the property by any reasonable means
21 under the circumstances to remove and render aid to the
22 abandoned animal.

23 (d) A person convicted of violating subsection (a) or (b)

1 of this Section is guilty of a Class A misdemeanor. A second or
2 subsequent conviction for a violation of subsection (a) or (b)
3 of this Section is a Class 4 felony. A person convicted of
4 violating subsection (c) of this Section is guilty of a Class B
5 misdemeanor. In addition to any other penalty provided by law,
6 upon conviction for violating subsection (a) or (b) of this
7 Section, the court may order the convicted person to undergo a
8 psychological or psychiatric evaluation and to undergo any
9 treatment at the convicted person's expense that the court
10 determines to be appropriate after due consideration of the
11 evidence. If the convicted person is a juvenile or a companion
12 animal hoarder, the court must order the convicted person to
13 undergo a psychological or psychiatric evaluation and to
14 undergo treatment that the court determines to be appropriate
15 after due consideration of the evaluation.

16 (Source: P.A. 92-650, eff. 7-11-02.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.