



Rep. Susana A. Mendoza

Filed: 3/18/2010

09600HB5772ham001

LRB096 20175 ASK 39290 a

1 AMENDMENT TO HOUSE BILL 5772

2 AMENDMENT NO. _____. Amend House Bill 5772 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Animal Welfare Act is amended by changing
5 Section 3.1 and by adding Sections 3.5 and 3.15 as follows:

6 (225 ILCS 605/3.1) (from Ch. 8, par. 303.1)

7 Sec. 3.1. Information on dogs and cats for sale by a dog
8 dealer or cattery operator. Every ~~pet shop operator,~~ dog
9 dealer~~,~~ and cattery operator shall provide the following
10 information for every dog or cat available for sale:

11 (a) The age, sex, and weight of the animal.

12 (b) The breed of the animal.

13 (c) A record of vaccinations and veterinary care and
14 treatment.

15 (d) A record of surgical sterilization or lack of surgical
16 sterilization.

1 (e) The name and address of the breeder of the animal.

2 (f) The name and address of any other person who owned or
3 harbored the animal between its birth and the point of sale.

4 (Source: P.A. 87-819.)

5 (225 ILCS 605/3.15 new)

6 Sec. 3.15. Disclosures for dogs and cats being sold by pet
7 shops.

8 (a) Prior to the time of sale, every pet shop operator
9 must, to the best of his or her knowledge, provide to the
10 consumer the following information on any dog or cat being
11 offered for sale:

12 (1) The retail price of the dog or cat, including any
13 additional fees or charges.

14 (2) The breed, age, date of birth, sex, and color of
15 the dog or cat.

16 (3) The details of any inoculation or medical treatment
17 that the dog or cat received while under the possession of
18 the pet shop operator. This information shall be updated at
19 least once every 7 days.

20 (4) The name and business address of both the dog or
21 cat breeder and the facility where the dog or cat was born.
22 If the dog or cat breeder is located in the State, then the
23 breeder's license number. If the dog or cat breeder also
24 holds a license issued by the United States Department of
25 Agriculture, the breeder's federal identification number.

1 (5) Any known citations or fines issued to the pet
2 store operator within the previous 5 years by the Illinois
3 Department of Agriculture, or other regulatory or
4 governmental agency relating to the health or welfare of
5 dogs or cats owned or possessed by the pet store operator.

6 (6) Any known citations or fines issued to the breeder,
7 during the 5 years prior to the pet shop operator taking
8 possession of the dog or cat, by the USDA, respective state
9 Department of Agriculture, or other regulatory or
10 governmental agency relating to the health or welfare of
11 the dogs or cats owned or bred by that breeder. The pet
12 shop operator shall not be responsible for updating
13 information provided pursuant to this item (7) after the
14 initial disclosure to a consumer.

15 (7) Any known congenital or hereditary diseases of the
16 parents of the dog or cat, or the parents' other offspring.

17 (8) If eligible for registration with a pedigree
18 registry, then the name and registration numbers of the
19 sire and dam and the address of the pedigree registry where
20 the sire and dam are registered.

21 (9) If the dog or cat was returned by a customer, then
22 the date and reason for the return.

23 (10) The total number of puppies or kittens that were
24 born at the breeder's facility in the prior calendar year.

25 (11) The licensee's policy regarding any guarantees,
26 warranties, refunds or returns.

1 (b) The information required in subsection (a) shall be
2 provided to the customer in written form by the pet shop
3 operator and shall on its last page have an acknowledgement of
4 disclosures form, which must be signed by the customer and the
5 pet shop operator at the time of sale. The acknowledgement of
6 disclosures form shall include the following:

7 (1) A blank space for the dated signature and printed
8 name of the pet shop operator, which shall be immediately
9 beneath the following statement: "I hereby attest that all
10 of the above information is true and correct to the best of
11 my knowledge, and I have made a diligent effort to obtain
12 this information.";

13 (2) A blank space for the customer to sign and print
14 his or her name and the date, which shall be immediately
15 beneath the following statement: "I hereby attest that this
16 disclosure was posted with the dog or cat for sale and that
17 I have read all of the disclosures. I further understand
18 that I am entitled to keep a signed copy of this
19 disclosure."

20 (c) A copy of the disclosures and the signed
21 acknowledgement of disclosure form shall be provided to the
22 customer at the time of sale and the original copy shall be
23 maintained by the pet shop operator for a period of 2 years
24 from the date of sale.

25 (d) A pet shop operator shall post in a conspicuous place
26 in writing on or near the cage of any dog or cat available for

1 sale the information required by subsection (a) of this Section
2 3.15.

3 Section 99. Effective date. This Act takes effect January
4 1, 2011.".