



Rep. Susana A. Mendoza

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09600HB5772ham002

LRB096 20175 ASK 39326 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~~7~~ 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 605/3.5 new)

6 Sec. 3.5. Information on dogs and cats available for
7 adoption by an animal shelter or animal control facility.

8 (a) An animal shelter or animal control facility must
9 provide to the adopter prior to the time of adoption the
10 following information, to the best of its knowledge, on any dog
11 or cat being offered for adoption:

12 (1) The breed, age, date of birth, sex, and color of
13 the dog or cat if known, or if unknown, the animal shelter
14 or animal control facility shall estimate to the best of
15 its ability.

16 (2) The details of any inoculation or medical treatment
17 that the dog or cat received while under the possession of
18 the animal shelter or animal control facility. This
19 information shall be updated at least once every 7 days.

20 (3) The adoption fee and any additional fees or
21 charges.

22 (4) If the dog or cat was returned by an adopter, then
23 the date and reason for the return.

24 (5) Any known citations or fines issued to the animal
25 shelter or animal control facility within the previous 5

1 years by the Illinois Department of Agriculture, or other
2 regulatory or governmental agency relating to the health or
3 welfare of dogs or cats held or placed for adoption by an
4 animal shelter or animal control facility.

5 (6) The policy of the animal shelter or animal control
6 facility regarding any returns of the adopted dog or cat,
7 warranties, guarantees, or any other policy related to the
8 adopted dog or cat.

9 (7) The license number of the animal shelter or animal
10 control facility issued by the Illinois Department of
11 Agriculture.

12 (b) The information required in subsection (a) shall be
13 provided to the adopter in written form by the animal shelter
14 or animal control facility and shall on its last page have an
15 acknowledgement of disclosures form, which must be signed by
16 the adopter and an authorized representative of the animal
17 shelter or animal control facility at the time of the adoption.
18 The acknowledgement of disclosures form shall include the
19 following:

20 (1) A blank space for the dated signature and printed
21 name of the authorized representative handling the
22 adoption on behalf of the animal shelter or animal control
23 facility, which shall be immediately beneath the following
24 printed statement: "I hereby attest that all of the above
25 information is true and correct to the best of my
26 knowledge, and I have made a diligent effort to obtain this

1 information.".

2 (2) A blank space for the dated signature and printed
3 name of the adopter, which shall be immediately beneath the
4 following statement: "I hereby attest that this disclosure
5 was posted with the dog or cat for adoption and that I have
6 read all the disclosures. I further understand that I am
7 entitled to keep a signed copy of this disclosure.".

8 (c) A copy of the disclosures and the signed
9 acknowledgement of disclosure form shall be provided to the
10 adopter and the original copy shall be maintained by the animal
11 shelter or animal control facility for a period of 2 years from
12 the date of adoption.

13 (d) An animal shelter or animal control facility shall post
14 in a conspicuous place in writing on or near the cage of any
15 dog or cat available for adoption the information required by
16 subsection (a) of this Section 3.5.

17 (225 ILCS 605/3.15 new)

18 Sec. 3.15. Disclosures for dogs and cats being sold by pet
19 shops.

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

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

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

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

7 (4) The name and business address of both the dog or
8 cat breeder and the facility where the dog or cat was born.
9 If the dog or cat breeder is located in the State, then the
10 breeder's license number. If the dog or cat breeder also
11 holds a license issued by the United States Department of
12 Agriculture, the breeder's federal identification number.

13 (5) Any known citations or fines issued to the pet
14 store operator within the previous 5 years by the Illinois
15 Department of Agriculture, or other regulatory or
16 governmental agency relating to the health or welfare of
17 dogs or cats owned or possessed by the pet store operator.

18 (6) Any known citations or fines issued to the breeder,
19 during the 5 years prior to the pet shop operator taking
20 possession of the dog or cat, by the USDA, respective state
21 Department of Agriculture, or other regulatory or
22 governmental agency relating to the health or welfare of
23 the dogs or cats owned or bred by that breeder. The pet
24 shop operator shall not be responsible for updating
25 information provided pursuant to this item (7) after the
26 initial disclosure to a consumer.

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

3 (8) If eligible for registration with a pedigree
4 registry, then the name and registration numbers of the
5 sire and dam and the address of the pedigree registry where
6 the sire and dam are registered.

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

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

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

13 (12) The pet shop operator's license number issued by
14 the Illinois Department of Agriculture.

15 (b) The information required in subsection (a) shall be
16 provided to the customer in written form by the pet shop
17 operator and shall on its last page have an acknowledgement of
18 disclosures form, which must be signed by the customer and the
19 pet shop operator at the time of sale. The acknowledgement of
20 disclosures form shall include the following:

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

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

8 (c) A copy of the disclosures and the signed
9 acknowledgement of disclosure form shall be provided to the
10 customer at the time of sale and the original copy shall be
11 maintained by the pet shop operator for a period of 2 years
12 from the date of sale.

13 (d) A pet shop operator shall post in a conspicuous place
14 in writing on or near the cage of any dog or cat available for
15 sale the information required by subsection (a) of this Section
16 3.15.

17 Section 99. Effective date. This Act takes effect January
18 1, 2011."