



Sen. Jeffrey M. Schoenberg

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09600HB5772sam001

LRB096 20175 ASK 40747 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~~r~~ 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.

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

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

23 (5) The following written statement: "A copy of our
24 policy regarding warranties, refunds, or returns is
25 available upon request."

1 (6) The license number of the animal shelter or animal
2 control facility issued by the Illinois Department of
3 Agriculture.

4 (b) The information required in subsection (a) shall be
5 provided to the adopter in written form by the animal shelter
6 or animal control facility and shall have an acknowledgement of
7 disclosures form, which must be signed by the adopter and an
8 authorized representative of the animal shelter or animal
9 control facility at the time of the adoption. The
10 acknowledgement of disclosures form shall include the
11 following:

12 (1) A blank space for the dated signature and printed
13 name of the authorized representative handling the
14 adoption on behalf of the animal shelter or animal control
15 facility, which shall be immediately beneath the following
16 printed statement: "I hereby attest that all of the above
17 information is true and correct to the best of my
18 knowledge."

19 (2) A blank space for the dated signature and printed
20 name of the adopter, which shall be immediately beneath the
21 following statement: "I hereby attest that this disclosure
22 was posted on or near the cage of the dog or cat for
23 adoption and that I have read all the disclosures. I
24 further understand that I am entitled to keep a signed copy
25 of this disclosure."

26 (c) A copy of the disclosures and the signed

1 acknowledgement of disclosures form shall be provided to the
2 adopter and the original copy shall be maintained by the animal
3 shelter or animal control facility for a period of 2 years from
4 the date of adoption. A copy of the animal shelter's or animal
5 control facility's policy regarding warranties, refunds, or
6 returns shall be provided to the adopter.

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

11 (225 ILCS 605/3.15 new)

12 Sec. 3.15. Disclosures for dogs and cats being sold by pet
13 shops.

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

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

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

22 (3) The details of any inoculation or medical treatment
23 that the dog or cat received while under the possession of
24 the pet shop operator.

25 (4) The name and business address of both the dog or

1 cat breeder and the facility where the dog or cat was born.
2 If the dog or cat breeder is located in the State, then the
3 breeder's license number. If the dog or cat breeder also
4 holds a license issued by the United States Department of
5 Agriculture, the breeder's federal identification number.

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

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

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

14 (8) The following written statement: "A copy of our
15 policy regarding warranties, refunds, or returns is
16 available upon request."

17 (9) The pet shop operator's license number issued by
18 the Illinois Department of Agriculture.

19 (b) The information required in subsection (a) shall be
20 provided to the customer in written form by the pet shop
21 operator and shall have an acknowledgement of disclosures form,
22 which must be signed by the customer and the pet shop operator
23 at the time of sale. The acknowledgement of disclosures form
24 shall include the following:

25 (1) A blank space for the dated signature and printed
26 name of the pet shop operator, which shall be immediately

1 beneath the following statement: "I hereby attest that all
2 of the above information is true and correct to the best of
3 my knowledge.".

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

11 (c) A copy of the disclosures and the signed
12 acknowledgement of disclosures form shall be provided to the
13 customer at the time of sale and the original copy shall be
14 maintained by the pet shop operator for a period of 2 years
15 from the date of sale. A copy of the pet store operator's
16 policy regarding warranties, refunds, or returns shall be
17 provided to the customer.

18 (d) A pet shop operator shall post in a conspicuous place
19 in writing on or near the cage of any dog or cat available for
20 sale the information required by subsection (a) of this Section
21 3.15.

22 Section 99. Effective date. This Act takes effect January
23 1, 2011."