

SB0139



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB0139

Introduced 1/30/2009, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

510 ILCS 70/3.03

Amends the Humane Care for Animals Act. Limits the situations when a person could dock an animal's tail or crop its ears without violating the Act's prohibition against "animal torture". Establishes that the following is not "animal torture": (i) tail docking performed by an Illinois licensed veterinarian for a medical reason (now, just "tail docking") or (ii) ear cropping performed by an Illinois licensed veterinarian for a medical reason (now, just "ear cropping"). Effective immediately.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

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 3.03 as follows:

6 (510 ILCS 70/3.03)

7 Sec. 3.03. Animal torture.

8 (a) A person commits animal torture when that person
9 without legal justification knowingly or intentionally
10 tortures an animal. For purposes of this Section, and subject
11 to subsection (b), "torture" means infliction of or subjection
12 to extreme physical pain, motivated by an intent to increase or
13 prolong the pain, suffering, or agony of the animal.

14 (b) For the purposes of this Section, "animal torture" does
15 not include any death, harm, or injury caused to any animal by
16 any of the following activities:

17 (1) any hunting, fishing, trapping, or other activity
18 allowed under the Wildlife Code, the Wildlife Habitat
19 Management Areas Act, or the Fish and Aquatic Life Code;

20 (2) any alteration or destruction of any animal done by
21 any person or unit of government pursuant to statute,
22 ordinance, court order, or the direction of a licensed
23 veterinarian;

1 (3) any alteration or destruction of any animal by any
2 person for any legitimate purpose, including, but not
3 limited to: castration, culling, declawing, defanging, ~~ear~~
4 ~~cropping,~~ euthanasia, gelding, grooming, neutering,
5 polling, shearing, shoeing, slaughtering, spaying, ~~tail~~
6 ~~docking,~~ and vivisection; ~~and~~

7 (4) any other activity that may be lawfully done to an
8 animal; and -

9 (5) tail docking performed by an Illinois licensed
10 veterinarian for a medical reason or ear cropping performed
11 by an Illinois licensed veterinarian for a medical reason.

12 (c) A person convicted of violating this Section is guilty
13 of a Class 3 felony. As a condition of the sentence imposed
14 under this Section, the court shall order the offender to
15 undergo a psychological or psychiatric evaluation and to
16 undergo treatment that the court determines to be appropriate
17 after due consideration of the evaluation.

18 (Source: P.A. 91-351, eff. 7-29-99; 92-650, eff. 7-11-02.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.