

SB0065



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB0065

Introduced 1/27/2011, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

510 ILCS 70/3.01

from Ch. 8, par. 703.01

Amends the Humane Care for Animals Act. Provides that it is not a violation under the cruel treatment provision of the Humane Care for Animals Act for caretakers or rescue groups to trap, neuter or spay, vaccinate, and release a companion animal back to the animal's original habitat for the sole purpose of preventing future litters.

LRB097 03057 CEL 43089 b

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

12 A person convicted of violating this Section is guilty of a
13 Class A misdemeanor. A second or subsequent conviction for a
14 violation of this Section is a Class 4 felony. In addition to
15 any other penalty provided by law, upon conviction for
16 violating this Section, the court may order the convicted
17 person to undergo a psychological or psychiatric evaluation and
18 to undergo any treatment at the convicted person's expense that
19 the court determines to be appropriate after due consideration
20 of the evidence. If the convicted person is a juvenile or a
21 companion animal hoarder, the court must order the convicted
22 person to undergo a psychological or psychiatric evaluation and
23 to undergo treatment that the court determines to be

1 appropriate after due consideration of the evaluation.

2 (b) It is not a violation of this Section to trap, neuter
3 or spay, vaccinate, and release or return a companion animal to
4 the animal's original habitat by a caretaker or rescue group
5 for the sole purpose of preventing future litters.

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