



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5004

by Rep. Christine Winger

SYNOPSIS AS INTRODUCED:

510 ILCS 70/3.08 new

Amends the Humane Care for Animals Act. Provides that no person, except a veterinarian licensed in this State, using anesthesia, may surgically debark or silence a dog or cat. Provides that a veterinarian conducting a debarking procedure must file a written certification with the Department of Agriculture and the Department of Financial and Professional Regulation, stating that the surgical debarking or silencing is medically necessary to treat or relieve an illness, disease, or injury, or correct a congenital abnormality that is causing or will cause the dog or cat medical harm or pain. Provides that violation of this provision is a Class 3 felony and may have a fine of not more than \$2,500 imposed or imprisoned up to 5 years, or both fined and imprisoned.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

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 adding Section 3.08 as follows:

6 (510 ILCS 70/3.08 new)

7 Sec. 3.08. Animal devocalization.

8 (a) No person shall surgically debark or silence a dog or
9 cat, or cause the surgical debarking or silencing of a dog or
10 cat, unless a veterinarian licensed in this State has filed a
11 written certification with the Department of Agriculture and
12 the Department of Financial and Professional Regulation,
13 stating that the surgical debarking or silencing is medically
14 necessary to treat or relieve an illness, disease, or injury,
15 or correct a congenital abnormality that is causing or will
16 cause the dog or cat medical harm or pain.

17 (b) The written certification described in subsection (a)
18 shall contain the date and description of the veterinarian's
19 examination and evaluation of the dog or cat, statement
20 certifying that surgical debarking or silencing is medically
21 necessary to treat or relieve an illness, disease, or injury,
22 or correct a congenital abnormality that is causing or will
23 cause the dog or cat harm or pain; any supporting diagnosis and

1 findings, the name and current address and telephone number of
2 the dog or cat's owner or keeper, and the name and current
3 address and telephone number, State license number, and
4 signature of the veterinarian.

5 (c) No person, except a veterinarian licensed in this
6 State, using anesthesia, may surgically debark or silence a dog
7 or cat.

8 (d) Any person convicted of violation of this Section,
9 except for a failure to disclose the information under
10 subsection (e), is guilty of a Class 3 felony and may be fined
11 not more than \$2,500, or fined and imprisoned. A court may also
12 order any person convicted under this Section to submit to a
13 mental health evaluation as determined by the court and undergo
14 any recommended counseling or treatment. In addition to any
15 other penalty provided by law, a person convicted under this
16 Section may be barred from owning or possessing any animals, or
17 living on the same property with any person who owns or
18 possesses animals, for a period of time deemed appropriate by
19 the court, and required to take humane education and pet
20 ownership and dog training classes as ordered by the court.

21 (e) Any person or business selling a dog or cat shall
22 disclose whether the dog or cat has been surgically debarked or
23 silenced and provide the purchaser with a copy of the
24 veterinarian certification.