



Sen. Michael W. Frerichs

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09800SB3050sam001

LRB098 16007 MGM 56858 a

1 AMENDMENT TO SENATE BILL 3050

2 AMENDMENT NO. _____. Amend Senate Bill 3050 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Humane Care for Animals Act is amended by
5 changing Section 3.06 as follows:

6 (510 ILCS 70/3.06)

7 Sec. 3.06. Disposition of seized companion animals and
8 animals used for fighting purposes.

9 (a) Upon the conviction of the person charged, all animals
10 seized, if not previously ordered forfeited or previously
11 forfeited by operation of law, are forfeited to the facility
12 impounding the animals and must be humanely euthanized or
13 adopted. Any outstanding costs incurred by the impounding
14 facility for boarding and treating the animals pending the
15 disposition of the case and any costs incurred in disposing of
16 the animals must be borne by the person convicted.

1 (b) Any person authorized by this Section to care for an
2 animal or animals, to treat an animal or animals, or to attempt
3 to restore an animal or animals to good health and who is
4 acting in good faith is immune from any civil or criminal
5 liability that may result from his or her actions.

6 (c) The provisions of this Section only pertain to
7 companion animals and animals used for fighting purposes.

8 (d) A nonprofit organization qualified under Section 501
9 (c) (3) of the United States Internal Revenue Code of 1986 for
10 the purpose of preventing cruelty to animals may, in connection
11 with an investigation or prosecution by law enforcement of an
12 alleged violation of federal or State animal fighting or animal
13 cruelty laws, including, but not limited to, this Act,
14 establish a temporary shelter to receive animals seized or
15 impounded as a result of the investigation or prosecution if:

16 (1) the law enforcement authority with jurisdiction
17 over the investigation or prosecution determines that the
18 shelter is necessary;

19 (2) the law enforcement authority with jurisdiction
20 over the investigation or prosecution extends an official
21 invitation to the organization that is valid for a
22 specified period of time; and

23 (3) the shelter complies with the requirements of the
24 Veterinary Medicine and Surgery Practice Act of 2004.

25 (e) As used in this Section, "temporary shelter" means a
26 sheltering facility that is established for a limited time, not

1 to exceed a time period specified by the law enforcement
2 authority with jurisdiction over the investigation or
3 prosecution, for the purpose of providing veterinary care,
4 food, water, and shelter to animals seized or impounded as a
5 result of the investigation or prosecution, provided, however,
6 that the establishment of the facility does not involve the
7 construction of any permanent buildings or structures and,
8 except as allowed by Section 3.05 of this Act, that no fees
9 shall be charged for any veterinary care provided at the
10 facility.

11 (Source: P.A. 92-454, eff. 1-1-02.)".