



Rep. Allen Skillicorn

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10000HB4380ham001

LRB100 17809 SLF 37997 a

1 AMENDMENT TO HOUSE BILL 4380

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4380 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 Sections 3 and 3.01 as follows:

6 (510 ILCS 70/3) (from Ch. 8, par. 703)

7 Sec. 3. Owner's duties.

8 (a) Each owner shall provide for each of his or her  
9 animals:

10 (1) a sufficient quantity of good quality, wholesome  
11 food and water;

12 (2) adequate shelter and protection from the weather  
13 allowing the animal to maintain safe body temperature;

14 (3) veterinary care when needed to prevent suffering;  
15 and

16 (4) humane care and treatment.

1 (b) To lawfully tether a dog outdoors, an owner must ensure  
2 that the dog:

3 (1) does not suffer from a condition that is known, by  
4 that person, to be exacerbated by tethering;

5 (2) is tethered in a manner that will prevent it from  
6 becoming entangled with other tethered dogs;

7 (3) is not tethered with a lead that (i) exceeds  
8 one-eighth of the dog's body weight or (ii) is a tow chain  
9 or a log chain;

10 (4) is tethered with a lead that measures, when rounded  
11 to the nearest whole foot, at least 10 feet in length;

12 (5) is tethered with a properly fitting harness or  
13 collar other than the lead or a pinch, prong, or choke-type  
14 collar; and

15 (6) is not tethered in a manner that will allow it to  
16 reach within the property of another person, a public  
17 walkway, or a road.

18 (c) Subsection (b) of this Section shall not be construed  
19 to prohibit:

20 (1) a person from walking a dog with a hand-held leash;

21 (2) conduct that is directly related to the cultivating  
22 of agricultural products, including shepherding or herding  
23 cattle or livestock, if the restraint is reasonably  
24 necessary for the safety of the dog;

25 (3) the tethering of a dog while at an organized and  
26 lawful animal function, such as hunting, obedience

1 training, performance and conformance events, or law  
2 enforcement training, or while in the pursuit of working or  
3 competing in those endeavors; or

4 (4) a dog restrained in compliance with the  
5 requirements of a camping or recreational area as defined  
6 by a federal, State, or local authority or jurisdiction.

7 (d) A person convicted of violating subsection (a) of this  
8 Section is guilty of a Class B misdemeanor. A second or  
9 subsequent violation of subsection (a) of this Section is a  
10 Class 4 felony with every day that a violation continues  
11 constituting a separate offense. In addition to any other  
12 penalty provided by law, upon conviction for violating  
13 subsection (a) of this Section, the court may order the  
14 convicted person to undergo a psychological or psychiatric  
15 evaluation and to undergo any treatment at the convicted  
16 person's expense that the court determines to be appropriate  
17 after due consideration of the evaluation. If the convicted  
18 person is a juvenile or a companion animal hoarder, the court  
19 must order the convicted person to undergo a psychological or  
20 psychiatric evaluation and to undergo treatment that the court  
21 determines to be appropriate after due consideration of the  
22 evaluation.

23 (e) A person convicted of violating subsection (b) of this  
24 Section is guilty of a Class B misdemeanor.

25 (f) As used in this Section, "tether" means to restrain by  
26 tying to an object or structure, including, without limitation,

1 a house, tree, fence, post, garage, shed, or clothes line at a  
2 person's residence or business, by any means, including,  
3 without limitation, a chain, rope, cord, leash, or running  
4 line.

5 (Source: P.A. 98-101, eff. 1-1-14.)

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

12 (c) No owner of a dog or cat that is a companion animal may  
13 expose the dog or cat in a manner that, on belief of a  
14 reasonable person authorized to enforce this Act, including law  
15 enforcement, places the dog or cat in a life-threatening  
16 situation for a prolonged period of time in extreme heat or  
17 cold conditions that may:

18 (1) result ~~results~~ in injury to or death of the animal;

19 or

20 (2) result ~~results~~ in hypothermia, hyperthermia,  
21 frostbite, or similar condition as diagnosed by a doctor of  
22 veterinary medicine.

23 (c-5) Nothing in this Section shall prohibit an animal from  
24 being impounded in an emergency situation under subsection (b)  
25 of Section 12 of this Act.

1 (d) A person convicted of violating this Section is guilty  
2 of a Class A misdemeanor. A second or subsequent conviction for  
3 a violation of this Section is a Class 4 felony. In addition to  
4 any other penalty provided by law, a person who is convicted of  
5 violating subsection (a) upon a companion animal in the  
6 presence of a child, as defined in Section 12-0.1 of the  
7 Criminal Code of 2012, shall be subject to a fine of \$250 and  
8 ordered to perform community service for not less than 100  
9 hours. In addition to any other penalty provided by law, upon  
10 conviction for violating this Section, the court may order the  
11 convicted person to undergo a psychological or psychiatric  
12 evaluation and to undergo any treatment at the convicted  
13 person's expense that the court determines to be appropriate  
14 after due consideration of the evidence. If the convicted  
15 person is a juvenile or a companion animal hoarder, the court  
16 must order the convicted person to undergo a psychological or  
17 psychiatric evaluation and to undergo treatment that the court  
18 determines to be appropriate after due consideration of the  
19 evaluation.

20 (Source: P.A. 99-311, eff. 1-1-16; 99-357, eff. 1-1-16; 99-642,  
21 eff. 7-28-16; 99-782, eff. 8-12-16.)".