



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB0641

Introduced 1/25/2017, by Sen. Linda Holmes

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Animal Control Act. Provides that if the money from registration fees is placed in the county animal population control fund it may also be used for a purpose under the Food Stamp Program or the Social Security Disability Insurance Benefits Program for a animal control facility, animal shelter, organization or resident (currently, resident) who humanely traps feral cats for spaying or neutering and return under a provision in the Illinois Public Health and Safety Animal Population Control Act. Provides that only the registration requirements, the registration fees, the microchipping requirements, and the microchipping fees under the Act do not apply to feral cats, rather than the entire Section shall not apply to feral cats. Provides that if no placement is available by an animal control facility, the dog or cat may (rather than shall) be humanely dispatched under the Humane Euthanasia in Animal Shelters Act. Amends the Illinois Public Health and Safety Animal Population Control Act. Provides that a resident of State who owns a dog or cat and who is eligible for any government assistance, including the Food Stamp Program or the Social Security Disability Insurance Benefits Program (rather than solely a resident eligible for the Food Stamp Program or the Social Security Disability Insurance Benefits Program), shall be eligible to participate in the program at a reduced rate if the owner signs a consent form certifying that he or she is the owner of the dog or cat or is authorized to present the dog or cat for the procedure. Provides that an animal control facility, animal shelter, organization, or a resident of this State who humanely traps feral cats for spaying or neutering and return is eligible to participate in the program if recognized by the municipality or by the county. Effective immediately.

LRB100 06133 SLF 16165 b

FISCAL 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 Animal Control Act is amended by changing  
5 Sections 3 and 11 as follows:

6 (510 ILCS 5/3) (from Ch. 8, par. 353)

7 Sec. 3. The County Board Chairman with the consent of the  
8 County Board shall appoint an Administrator. Appointments  
9 shall be made as necessary to keep this position filled at all  
10 times. The Administrator may appoint as many Deputy  
11 Administrators and Animal Control Wardens to aid him or her as  
12 authorized by the Board. The compensation for the  
13 Administrator, Deputy Administrators, and Animal Control  
14 Wardens shall be fixed by the Board. The Administrator may be  
15 removed from office by the County Board Chairman, with the  
16 consent of the County Board.

17 The Board shall provide necessary personnel, training,  
18 equipment, supplies, and facilities, and shall operate pounds  
19 or contract for their operation as necessary to effectuate the  
20 program. The Board may enter into contracts or agreements with  
21 persons to assist in the operation of the program and may  
22 establish a county animal population control program.

23 The Board shall be empowered to utilize monies from their

1 General Corporate Fund to effectuate the intent of this Act.

2 The Board is authorized by ordinance to require the  
3 registration and may require microchipping of dogs and cats.  
4 The Board shall impose an individual dog or cat registration  
5 fee with a minimum differential of \$10 for intact dogs or cats.  
6 Ten dollars of the differential shall be placed either in a  
7 county animal population control fund or in the State's Pet  
8 Population Control Fund. If the money is placed in the county  
9 animal population control fund it shall be used ~~to~~ (i) to spay,  
10 neuter, or sterilize adopted dogs or cats or (ii) for any  
11 allowable purpose provided for in Section 25 of the Illinois  
12 Public Health and Safety Animal Population Control Act. The  
13 registration requirements, registration fees, microchipping  
14 requirements, and microchipping fees under this Act do not  
15 apply to feral cats ~~spay or neuter dogs or cats owned by low~~  
16 ~~income county residents who are eligible for the Food Stamp~~  
17 ~~Program~~. All persons selling dogs or cats or keeping registries  
18 of dogs or cats shall cooperate and provide information to the  
19 Administrator as required by Board ordinance, including sales,  
20 number of litters, and ownership of dogs and cats. If  
21 microchips are required, the microchip number may serve as the  
22 county animal control registration number.

23 In obtaining information required to implement this Act,  
24 the Department shall have power to subpoena and bring before it  
25 any person in this State and to take testimony either orally or  
26 by deposition, or both, with the same fees and mileage and in

1 the same manner as prescribed by law for civil cases in courts  
2 of this State.

3 The Director shall have power to administer oaths to  
4 witnesses at any hearing which the Department is authorized by  
5 law to conduct, and any other oaths required or authorized in  
6 any Act administered by the Department.

7 ~~This Section does not apply to feral cats.~~

8 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

9 (510 ILCS 5/11) (from Ch. 8, par. 361)

10 Sec. 11. When not redeemed by the owner, agent, or  
11 caretaker, a dog or cat must be scanned for a microchip. If a  
12 microchip is present, the registered owner must be notified.  
13 After contact has been made or attempted, dogs or cats deemed  
14 adoptable by the animal control facility shall be offered for  
15 adoption, or made available to a licensed humane society or  
16 rescue group. If no placement is available, the dog or cat may  
17 ~~it shall~~ be humanely dispatched pursuant to the Humane  
18 Euthanasia in Animal Shelters Act. Nothing in this Act shall be  
19 construed or interpreted to place a limitation on the time  
20 frame that an animal pound or animal shelter may humanely house  
21 an animal prior to placement. An animal pound or animal shelter  
22 shall not adopt or release any dog or cat to anyone other than  
23 the owner unless the animal has been rendered incapable of  
24 reproduction and microchipped, or the person wishing to adopt  
25 an animal prior to the surgical procedures having been

1 performed shall have executed a written agreement promising to  
2 have such service performed, including microchipping, within a  
3 specified period of time not to exceed 30 days. Failure to  
4 fulfill the terms of the agreement shall result in seizure and  
5 impoundment of the animal and any offspring by the animal pound  
6 or shelter, and any monies which have been deposited shall be  
7 forfeited and submitted to the Pet Population Control Fund on a  
8 yearly basis. This Act shall not prevent humane societies from  
9 engaging in activities set forth by their charters; provided,  
10 they are not inconsistent with provisions of this Act and other  
11 existing laws. No animal shelter or animal control facility  
12 shall release dogs or cats to an individual representing a  
13 rescue group, unless the group has been licensed or has a  
14 foster care permit issued by the Illinois Department of  
15 Agriculture or is a representative of a not-for-profit  
16 out-of-state organization. The Department may suspend or  
17 revoke the license of any animal shelter or animal control  
18 facility that fails to comply with the requirements set forth  
19 in this Section or that fails to report its intake and  
20 euthanasia statistics each year.

21 (Source: P.A. 94-639, eff. 8-22-05; 95-550, eff. 6-1-08.)

22 Section 10. The Illinois Public Health and Safety Animal  
23 Population Control Act is amended by changing Section 25 as  
24 follows:

1 (510 ILCS 92/25)

2 Sec. 25. Eligibility to participate. A resident of the  
3 State who owns a dog or cat and who is eligible for any  
4 government assistance, including the Food Stamp Program or the  
5 Social Security Disability Insurance Benefits Program, shall  
6 be eligible to participate in the program at a reduced rate if  
7 the owner signs a consent form certifying that he or she is the  
8 owner of the dog or cat or is authorized by the eligible owner  
9 to present the dog or cat for the procedure. An owner must  
10 submit proof of eligibility to the Department. Upon approval,  
11 the Department shall furnish an eligible owner with an  
12 eligibility voucher to be presented to a participating  
13 veterinarian. An animal control facility, animal shelter,  
14 organization, or A resident of this State who ~~is managing a~~  
15 ~~feral cat colony and who~~ humanely traps feral cats for spaying  
16 or neutering and return is eligible to participate in the  
17 program ~~if provided the trap, sterilize, and return program is~~  
18 recognized by the municipality or by the county, ~~if it is~~  
19 ~~located in an unincorporated area.~~ The sterilization shall be  
20 performed by a voluntarily participating veterinarian or  
21 veterinary student under the supervision of a veterinarian. The  
22 co-payment for the cat or dog sterilization procedure and  
23 vaccinations shall be \$15.

24 (Source: P.A. 94-639, eff. 8-22-05.)

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 510 ILCS 5/3 from Ch. 8, par. 353

4 510 ILCS 5/11 from Ch. 8, par. 361

5 510 ILCS 92/25