

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 (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 places the dog or cat in
14 a life-threatening situation for a prolonged period of time in
15 extreme heat or cold conditions that:

16 (1) results in injury to or death of the animal; or

17 (2) results in hypothermia, hyperthermia, frostbite,
18 or similar condition as diagnosed by a doctor of veterinary
19 medicine.

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

23 (c-10) Nothing in this Section shall prohibit a law

1 enforcement officer from taking temporary custody of a dog or
2 cat that is a companion animal that is exposed in a manner that
3 places the dog or cat in a life-threatening situation for a
4 prolonged period of time in extreme heat or cold conditions
5 that may result in injury or death of the dog or cat or may
6 result in hypothermia, hyperthermia, frostbite, or similar
7 condition. Upon taking temporary custody of the dog or cat
8 under this subsection (c-10), the law enforcement officer shall
9 attempt to contact the owner of the dog or cat and shall seek
10 emergency veterinary care for the animal as soon as available.
11 The law enforcement officer shall leave information of the
12 location of the dog or cat if the owner cannot be reached. The
13 owner of the dog or cat is responsible for any costs of
14 providing care to the dog or cat.

15 (d) A person convicted of violating this Section is guilty
16 of a Class A misdemeanor. A second or subsequent conviction for
17 a violation of this Section is a Class 4 felony. In addition to
18 any other penalty provided by law, a person who is convicted of
19 violating subsection (a) upon a companion animal in the
20 presence of a child, as defined in Section 12-0.1 of the
21 Criminal Code of 2012, shall be subject to a fine of \$250 and
22 ordered to perform community service for not less than 100
23 hours. In addition to any other penalty provided by law, upon
24 conviction for violating this Section, the court may order the
25 convicted person to undergo a psychological or psychiatric
26 evaluation and to undergo any treatment at the convicted

1 person's expense that the court determines to be appropriate
2 after due consideration of the evidence. If the convicted
3 person is a juvenile or a companion animal hoarder, the court
4 must order the convicted person to undergo a psychological or
5 psychiatric evaluation and to undergo treatment that the court
6 determines to be appropriate after due consideration of the
7 evaluation.

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