

1 AN ACT concerning regulation.

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 adding
5 Sections 2.18b and 15.5 as follows:

6 (510 ILCS 5/2.18b new)

7 Sec. 2.18b. Reckless dog owner. "Reckless dog owner" means
8 a person who owns a dog that while anywhere other than upon the
9 property of the owner, and without justification, kills another
10 dog that results in that dog being deemed a dangerous dog under
11 Section 15.1 of this Act and who knowingly allows the dog to
12 violate Section 9 of this Act on 2 occasions within 12 months
13 of the incident for which the dog was deemed dangerous or is
14 involved in another incident that results in the dog being
15 deemed dangerous on a second occasion within 24 months of the
16 original dangerous determination.

17 (510 ILCS 5/15.5 new)

18 Sec. 15.5. Reckless dog owner; complaint; penalty.

19 (a) The Administrator, State's Attorney, Director, or any
20 citizen may file a complaint in circuit court to determine
21 whether a person is a reckless dog owner. If an owner is
22 determined to be a reckless dog owner by clear and convincing

1 evidence, the court shall order the immediate impoundment and
2 forfeiture of all dogs the reckless dog owner has a property
3 right in. Forfeiture may be to any licensed shelter, rescue, or
4 sanctuary. The court shall further prohibit the property right
5 ownership of a dog by the person determined to be a reckless
6 dog owner for a period of at least 12 months, but not more than
7 36 months for the first reckless dog owner determination.

8 (a-5) A dog's history during ownership by a person found to
9 be a reckless dog owner shall not be considered conclusive of
10 the dog's temperament and qualification for adoption or
11 transfer. The dog's temperament shall be independently
12 evaluated by a person qualified to conduct behavioral
13 assessments and, if deemed adoptable, the receiving facility
14 shall make a reasonable attempt to place the dog in another
15 home, transfer the dog to rescue, or place the dog in a
16 sanctuary.

17 (b) A person who refuses to forfeit a dog under this
18 Section is a violation which carries a public safety fine of
19 \$500 for each dog to be deposited into the Pet Population
20 Control Fund. Each day a person fails to comply with a
21 forfeiture or prohibition ordered under this Section shall
22 constitute a separate offense.