



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2933

by Rep. Linda Chapa LaVia

SYNOPSIS AS INTRODUCED:

225 ILCS 605/3.8

Amends the Animal Welfare Act. Provides that a pet shop operator may offer for sale only those dogs or cats obtained from an animal control center, animal care facility, kennel, pound, or training facility operated by any subdivision of local, State, or federal government, or a humane society or rescue organization. Provides that no pet shop operator may offer for sale any dog or cat obtained from a breeder unless the breeder holds a valid USDA Class "A" license as defined in the Code of Federal Regulations implementing the federal Animal Welfare Act, listing all site addresses where regulated animals are located; the breeder owns or possesses no more than 5 female dogs or cats capable of reproduction in any 12-month period; and no more than 5 female dogs or cats capable of reproduction are housed at the site address where the retail animal was born or housed, including animals owned by persons other than the breeder. Effective January 1, 2020.

LRB101 07643 JRG 52690 b

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 Welfare Act is amended by changing
5 Section 3.8 as follows:

6 (225 ILCS 605/3.8)

7 Sec. 3.8. Sourcing of dogs and cats sold by pet shops.

8 (a) A pet shop operator may offer for sale only those dogs
9 or cats obtained from ~~A pet shop operator may not obtain a dog~~
10 ~~or cat for resale or sell or offer for sale any dog or cat~~
11 ~~obtained from a person who is required to be licensed by the~~
12 ~~pet dealer regulations of the United States Department of~~
13 ~~Agriculture under the federal Animal Welfare Act (7 U.S.C. 2131~~
14 ~~et seq.) if any of the following applies to the original~~
15 ~~breeder:~~

16 (1) an animal control center, animal care facility,
17 kennel, pound, or training facility operated by any
18 subdivision of local, State, or federal government; or ~~The~~
19 ~~person is not currently licensed by the United States~~
20 ~~Department of Agriculture under the federal Animal Welfare~~
21 ~~Act.~~

22 (2) a humane society or rescue organization ~~During the~~
23 ~~2-year period before the day the dog or cat is received by~~

1 ~~the pet shop, the person received a direct or critical~~
2 ~~non-compliant citation on a final inspection report from~~
3 ~~the United States Department of Agriculture under the~~
4 ~~federal Animal Welfare Act.~~

5 ~~(3) During the 2 year period before the day the dog or~~
6 ~~eat is received by the pet shop, the person received 3 or~~
7 ~~more non-compliant citations on a final inspection report~~
8 ~~from the United States Department of Agriculture for~~
9 ~~violations relating to the health or welfare of the animal~~
10 ~~and the violations were not administrative in nature.~~

11 ~~(4) The person received a no-access violation on each~~
12 ~~of the 3 most recent final inspection reports from the~~
13 ~~United States Department of Agriculture.~~

14 (b) (Blank). ~~A pet shop operator is presumed to have acted~~
15 ~~in good faith and to have satisfied its obligation to ascertain~~
16 ~~whether a person meets the criteria described in subsection (a)~~
17 ~~of this Section if, when placing an order to obtain a dog or~~
18 ~~eat for sale or resale, the pet shop operator conducts a search~~
19 ~~for inspection reports that are readily available of the~~
20 ~~breeder on the Animal Care Information System online search~~
21 ~~tool maintained by the United States Department of Agriculture.~~
22 ~~If inspection reports are not readily available on the United~~
23 ~~States Department of Agriculture website, the pet shop operator~~
24 ~~must obtain the inspection reports from the person or persons~~
25 ~~required to meet the criteria described in subsection (a) of~~
26 ~~this Section.~~

1 (b-5) No pet shop operator may offer for sale any dog or
2 cat obtained from a breeder unless the following requirements
3 are met:

4 (A) the breeder holds a valid USDA Class "A" license as
5 defined in 9 CFR 1.1, listing all site addresses where
6 regulated animals are located;

7 (B) the breeder owns or possesses no more than 5 female
8 dogs or cats capable of reproduction in any 12-month
9 period; and

10 (C) no more than 5 female dogs or cats capable of
11 reproduction are housed at the site address where the
12 retail animal was born or housed, including animals owned
13 by persons other than the breeder.

14 (c) Notwithstanding subsections (a) and (b-5) ~~(b)~~ of this
15 Section, a pet shop operator may obtain a dog or cat for resale
16 or sell or offer for sale any dog or cat obtained from: (1) a
17 person that sells dogs only he or she has produced and raised
18 and who is not required to be licensed by the United States
19 Department of Agriculture, (2) a publicly operated pound or a
20 private non-profit humane society or rescue, or (3) an animal
21 adoption event conducted by a pound or humane society.

22 (d) A pet shop operator shall maintain records verifying
23 its compliance with this Section for 2 years after obtaining
24 the dog or cat to be sold or offered for sale. Records
25 maintained pursuant to this subsection (d) shall be open to
26 inspection on request by a Department of Agriculture inspector.

1 (Source: P.A. 100-322, eff. 8-24-17.)

2 Section 99. Effective date. This Act takes effect January
3 1, 2020.