

SB2995



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB2995

Introduced 2/5/2020, by Sen. Steve McClure - Linda Holmes

SYNOPSIS AS INTRODUCED:

510 ILCS 70/3.02

Amends the Humane Care for Animals Act. Makes changes to the penalties for persons convicted of aggravated cruelty to a companion animal. Provides that a person convicted of causing the death of a companion animal is guilty of a Class 2 felony (rather than a Class 4 felony). Provides that a second or subsequent conviction for an act that causes the death of a companion animal is a Class 1 felony (rather than a Class 3 felony).

LRB101 19695 CMG 69189 b

CORRECTIONAL
BUDGET AND
IMPACT 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 Humane Care for Animals Act is amended by
5 changing Section 3.02 as follows:

6 (510 ILCS 70/3.02)

7 Sec. 3.02. Aggravated cruelty.

8 (a) No person may intentionally commit an act that causes a
9 companion animal to suffer serious injury or death. Aggravated
10 cruelty does not include euthanasia of a companion animal
11 through recognized methods approved by the Department of
12 Agriculture unless prohibited under subsection (b).

13 (b) No individual, except a licensed veterinarian as
14 exempted under Section 3.09, may knowingly or intentionally
15 euthanize or authorize the euthanasia of a companion animal by
16 use of carbon monoxide.

17 (c) A person convicted of violating this Section for an act
18 that causes a companion animal to suffer serious injury is
19 guilty of a Class 4 felony. A person convicted for an act that
20 causes the death of a companion animal is guilty of a Class 2
21 felony ~~Section 3.02 is guilty of a Class 4 felony.~~ A second or
22 subsequent violation for an act that causes a companion animal
23 to suffer serious injury is a Class 3 felony. A second or

1 subsequent violation for an act that causes the death of a
2 companion animal is a Class 1 felony ~~is a Class 3 felony~~. In
3 addition to any other penalty provided by law, upon conviction
4 for violating this Section, the court may order the convicted
5 person to undergo a psychological or psychiatric evaluation and
6 to undergo any treatment at the convicted person's expense that
7 the court determines to be appropriate after due consideration
8 of the evaluation. If the convicted person is a juvenile or a
9 companion animal hoarder, the court must order the convicted
10 person to undergo a psychological or psychiatric evaluation and
11 to undergo treatment that the court determines to be
12 appropriate after due consideration of the evaluation.

13 (Source: P.A. 96-780, eff. 8-28-09.)