

SB3088



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3088

Introduced 2/6/2020, by Sen. Thomas Cullerton

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.930 new
510 ILCS 70/4.02a new

Amends the Humane Care for Animals Act. Provides that a person convicted of aggravated cruelty, a violation involving animals for entertainment, and dog fighting and a person convicted of similar offenses in another jurisdiction shall register with the county sheriff for 7 years following his or her conviction. Provides that a person with 2 or more convictions of these offenses is subject to registration for 10 years. Provides that following the initial registration, a repeat offender shall annually renew the registration with the county sheriff prior to December 31 of each subsequent calendar year for a period of 10 years. Creates the Animal Abuse Registry Fund to cover costs in the administration of the Animal Abuse Registry. Provides that the rest of the funds collected shall be transmitted to the State Treasurer for deposit into the Animal Abuse Registry Fund. Provides that after the required period of registration, the personal information of the offender or repeat offender shall be removed from the local and central animal abuse registry. Makes conforming changes to the State Finance Act. Effective immediately.

LRB101 17650 CMG 67077 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 State Finance Act is amended by adding
5 Section 5.930 as follows:

6 (30 ILCS 105/5.930 new)

7 Sec. 5.930. The Animal Abuse Registry Fund.

8 Section 10. The Humane Care for Animals Act is amended by
9 adding Section 4.02a as follows:

10 (510 ILCS 70/4.02a new)

11 Sec. 4.02a. Animal abuse registry.

12 (a) The following persons shall register with the county
13 sheriff for the county in which the person is located for 7
14 years following the conviction:

15 (1) Persons convicted of any of the following offenses:

16 (A) Aggravated cruelty, as defined in Section 3.02
17 of this Act.

18 (B) A violation involving animals for
19 entertainment under Section 4.01 of this Act.

20 (C) Dog fighting, under Section 48-1 of the
21 Criminal Code of 2012.

1 (2) Persons currently residing in this State who have
2 been convicted of offenses similar to the crimes cited in
3 paragraph (1) of this subsection (a) under the laws of the
4 United States or one of its territories or possessions,
5 another state, the District of Columbia, the commonwealth
6 of Puerto Rico, or a foreign nation.

7 (a-5) An initial registration fee of \$50 shall be due at
8 the time of registration. For every subsequent renewal
9 registration, a fee of \$25 shall be due. For each fee
10 collected, \$2 shall be retained by the sheriff for the
11 administrative costs of the registry. The rest of the funds
12 collected shall be transmitted to the State Treasurer for
13 deposit into the Animal Abuse Registry Fund. A special fund in
14 the State treasury is hereby created which shall be known as
15 the Animal Abuse Registry Fund. Monies in the Fund shall be
16 appropriated to the Illinois State Police to cover costs in the
17 administration of the Animal Abuse Registry.

18 (b) A person with 2 or more convictions of any of the
19 offenses set forth in subsection (a) shall be subject to
20 registration for 10 years.

21 (c) An offender or repeat offender following release from
22 incarceration, upon parole or mandatory supervised release
23 from a correctional institution, or upon commencement of
24 immediate punishment or probation that results from a
25 conviction for an offense listed under subsection (a) who is
26 located within the boundaries of this State for more than 30

1 consecutive days, shall register with the county sheriff for
2 the county in which the offender or repeat offender is located
3 before the end of the 31st day.

4 (d) An offender or repeat offender who is currently
5 registered in the county of the offender's previous location
6 within this State shall reregister with the county sheriff for
7 the county in which the offender or repeat offender is now
8 located no later than 30 days after moving to the new location
9 in this State.

10 (e) Following the initial registration under this Section,
11 an offender shall annually renew the registration with the
12 county sheriff prior to December 31 of each subsequent calendar
13 year for a period of 7 years. Following the initial
14 registration under this Section, a repeat offender shall
15 annually renew the registration with the county sheriff prior
16 to December 31 of each subsequent calendar year for a period of
17 10 years.

18 (f) The offender or repeat offender shall provide the
19 county sheriff with the following information:

20 (1) Legal name and any other names or aliases that the
21 offender uses or has used.

22 (2) Date of birth.

23 (3) Current address or location.

24 (4) The county or counties in this State where the
25 offender is registered under this Section.

26 (g) The county sheriff shall obtain the following from the

1 offender or repeat offender:

2 (1) A photograph of the offender.

3 (2) A description of any tattoos, scars, or other
4 distinguishing features on the offender's body that would
5 assist in identifying the offender.

6 (h) For registration renewal, the offender or repeat
7 offender shall provide updated information for the required
8 information contained in subsections (f) and (g).

9 (i) The county sheriff shall establish and maintain a local
10 registry of offenders in the sheriff's jurisdiction to be known
11 as the local animal abuse registry. The sheriff shall be
12 responsible for forwarding all registration information to the
13 Illinois State Police. After the required period of
14 registration, the personal information of the offender or
15 repeat offender shall be removed from the local animal abuse
16 registry.

17 (j) The Illinois State Police shall establish and maintain
18 a central registry of offenders required to register under this
19 Section to be known as the central animal abuse registry.
20 Information contained in the central animal abuse registry of
21 offenders shall be made available to the public through the
22 Internet and telephone. All of the information contained in an
23 offender's registration shall be made available to the public.
24 Records of each registration shall be maintained for the period
25 that an offender or repeat offender is required to be
26 registered. After the required period of registration, the

1 personal information of the offender or repeat offender shall
2 be removed from the central animal abuse registry.

3 An individual may use the information contained in the
4 central animal abuse registry and the local animal abuse
5 registry for protecting animals at risk of abuse.

6 (k) The sentencing court shall inform offenders and repeat
7 offenders at the time of sentencing of the provisions of this
8 Section. The court shall:

9 (1) Specifically inform the offender of the duty to
10 register and provide the information required for
11 registration.

12 (2) Specifically inform the offender of the duty to
13 inform the county sheriff within 30 days if the offender or
14 repeat offender changes residence or establishes an
15 additional residence or residences.

16 (3) Require the offender to read and sign a form
17 stating that the duty to register under this Section has
18 been provided in writing and has been explained. If the
19 offender is incapable of reading, the court shall certify
20 the duty to register was explained to the offender and the
21 offender indicated an understanding of the duty.

22 (l) An individual who is subject to registration under this
23 Section commits an offense if he or she knowingly fails to:

24 (1) Register or reregister with the county sheriff as
25 required under this Section.

26 (2) Provide accurate information when registering

1 under this Section.

2 A person subject to registration under this Section who
3 violates this Section is guilty of a Class 3 felony for the
4 first offense and a Class 2 felony for a second or subsequent
5 offense.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.