



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3728

Introduced 2/22/2021, by Rep. Tom Demmer

SYNOPSIS AS INTRODUCED:

New Act

Creates the Local Working Animal Protection Act. Defines "working animal". Provides that the right to utilize working animals for the benefit and welfare of the animals or those they serve is guaranteed. Provides that no ordinance or rule shall be enacted by a unit of local government, including a home rule unit, that terminates, bans, effectively bans, or creates an undue financial hardship relating to the job or use of working animals or animal enterprise in commerce, service, legal hunting, agriculture, husbandry, transportation, or ranching, including, but not limited to, entertainment, education, or exhibition. Provides that the Act does not: alter State law or rules that regulate animal care, public health, or public safety; or prevent the establishment of or alteration of ordinances or rules by a unit of local government regarding animal care, public health, or public safety. Provides that if a unit of local government has an ordinance or rule that conflicts with the Act, the Act controls. Limits home rule powers.

LRB102 13921 AWJ 19272 b

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Local
5 Working Animal Protection Act.

6 Section 5. Definition. As used in this Act, "working
7 animal" means a non-human animal used for the purpose of
8 performing a specific duty or function in commerce or animal
9 enterprise, including, but not limited to, human service,
10 transportation, education, competition, or exhibition.

11 Section 10. Working animal regulation. Notwithstanding any
12 other provision of law to the contrary, the right to utilize
13 working animals for the benefit and welfare of the animals or
14 those they serve is guaranteed. No ordinance or rule shall be
15 enacted by a unit of local government, including a home rule
16 unit, that terminates, bans, effectively bans, or creates an
17 undue financial hardship relating to the job or use of working
18 animals or animal enterprise in commerce, service, legal
19 hunting, agriculture, husbandry, transportation, ranching,
20 entertainment, education, or exhibition.

21 Section 15. Limitations.

1 (a) Nothing in this Act alters State law or rules that
2 regulate animal care, public health, or public safety.

3 (b) Nothing in this Act prevents the establishment of or
4 alteration of ordinances or rules by a unit of local
5 government regarding animal care, public health, or public
6 safety.

7 Section 20. Home rule. A home rule unit may not regulate
8 working animals in a manner inconsistent with this Act. This
9 Act is a limitation under subsection (i) of Section 6 of
10 Article VII of the Illinois Constitution on the concurrent
11 exercise by home rule units of powers and functions exercised
12 by the State.

13 Section 25. Conflict with ordinance or rule. If a unit of
14 local government has an ordinance, resolution, or rule that
15 conflicts with this Act, this Act controls.