



## 93RD GENERAL ASSEMBLY

### State of Illinois

### 2003 and 2004

Introduced 2/5/2004, by Dan Rutherford

#### SYNOPSIS AS INTRODUCED:

225 ILCS 605/10

from Ch. 8, par. 310

Amends the Animal Welfare Act. Makes a technical change in a Section concerning grounds for discipline.

LRB093 16403 RAS 42042 b

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 Animal Welfare Act is amended by changing  
5 Section 10 as follows:

6 (225 ILCS 605/10) (from Ch. 8, par. 310)

7 Sec. 10. Grounds for discipline. The Department may refuse  
8 to issue or renew or may suspend or revoke a license on any one  
9 or more of the following grounds:

10 a. Material misstatement in the application for an original  
11 license or in the application for any renewal license under  
12 this Act;

13 b. A violation of this Act or of any regulations or rules  
14 issued pursuant thereto;

15 c. Aiding or abetting another in the violation of this Act  
16 or of any regulation or rule issued pursuant thereto;

17 d. Allowing one's license under this Act to be used by an  
18 unlicensed person;

19 e. Conviction of any crime an essential element of which is  
20 misstatement, fraud or dishonesty or conviction of any felony,  
21 if the Department determines, after investigation, that such  
22 person has not been sufficiently rehabilitated to warrant the  
23 public trust;

24 f. Conviction of a violation of any law of Illinois except  
25 minor violations such as traffic violations and violations not  
26 related to the disposition of dogs, cats and other animals or  
27 any rule or regulation of the Department relating to dogs or  
28 cats and sale thereof;

29 g. Making substantial misrepresentations or false promises  
30 of a character likely to influence, persuade or induce in  
31 connection with the business of a licensee under this Act;

32 h. Pursuing a continued course of misrepresentation of or

1 making false promises through advertising, salesman, agents or  
2 otherwise in connection with the business of a licensee under  
3 this Act;

4 i. Failure to possess the necessary qualifications or to  
5 meet the requirements of the Act for the issuance or holding a  
6 license; or

7 j. Proof that the licensee is guilty of gross negligence,  
8 incompetency, or cruelty with regard to animals.

9 The Department may refuse to issue or may suspend the  
10 license of any person who fails to file a return, or to pay the  
11 tax, penalty or interest shown in a filed return, or to pay any  
12 final assessment of tax, penalty or interest, as required by  
13 any tax Act administered by the Illinois Department of Revenue,  
14 until such time as the requirements of any such tax Act are  
15 satisfied.

16 The Department may order any licensee to cease operation  
17 for a period not to exceed 72 hours to correct deficiencies in  
18 order to meet licensing requirements.

19 (Source: P.A. 89-178, eff. 7-19-95; 90-385, eff. 8-15-97;  
20 90-403, eff. 8-15-97.)