



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1018

Introduced 2/8/2007, by Rep. Dan Reitz

SYNOPSIS AS INTRODUCED:

510 ILCS 70/10

from Ch. 8, par. 710

Amends the Humane Care for Animals Act. Provides that, upon request of the Department of Agriculture (now, that request is not required), an approved humane investigator may, for the purpose of investigating an alleged violation of the Act, enter during normal business hours upon any premises where the animal or animals described in the complaint are housed or kept, provided such entry shall not be made into any building which is a person's residence, except by search warrant or court order.

LRB095 09451 CMK 29649 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 Humane Care for Animals Act is amended by
5 changing Section 10 as follows:

6 (510 ILCS 70/10) (from Ch. 8, par. 710)

7 Sec. 10. Investigation of complaints.

8 (a) Upon receiving a complaint of a suspected violation of
9 this Act, a Department investigator, any law enforcement
10 official, or, upon request of the Department, an approved
11 humane investigator may, for the purpose of investigating the
12 allegations of the complaint, enter during normal business
13 hours upon any premises where the animal or animals described
14 in the complaint are housed or kept, provided such entry shall
15 not be made into any building which is a person's residence,
16 except by search warrant or court order. Institutions operating
17 under federal license to conduct laboratory experimentation
18 utilizing animals for research or medical purposes are,
19 however, exempt from the provisions of this Section. State's
20 Attorneys and law enforcement officials shall provide such
21 assistance as may be required in the conduct of such
22 investigations. Any such investigation requiring legal
23 procedures shall be immediately reported to the Department. No

1 employee or representative of the Department shall enter a
2 livestock management facility unless sanitized footwear is
3 used, or unless the owner or operator of the facility waives
4 this requirement. The employee or representative must also use
5 any other reasonable disease prevention procedures or
6 equipment provided by the owner or operator of the facility.
7 The animal control administrator and animal control wardens
8 appointed under the Animal Control Act shall be authorized to
9 make investigations complying with this Section for alleged
10 violations of Sections 3, 3.01, 3.02, and 3.03 pertaining to
11 companion animals. The animals impounded shall remain under the
12 jurisdiction of the animal control administrator and be held in
13 an animal shelter licensed under the Animal Welfare Act.

14 (b) Any veterinarian acting in good faith is immune from
15 any civil or criminal liability resulting from his or her
16 actions under this Section. The good faith on the part of the
17 veterinarian is presumed.

18 (Source: P.A. 92-454, eff. 1-1-02.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.