

1 AN ACT concerning regulation.

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 adding
5 Sections 3.3 and 3.4 as follows:

6 (225 ILCS 605/3.3 new)

7 Sec. 3.3. Adoption of dogs and cats; sterilization
8 required.

9 (a) No animal shelter or animal control facility may adopt
10 out any dog or cat that has not been sterilized in a manner
11 acceptable to the Department, except under any of the following
12 conditions:

13 (1) The adopting owner has executed a written document
14 agreeing to have the sterilization performed within a
15 specified period of time, which may not exceed 30 days
16 after the date of the adoption.

17 (2) In cases where a licensed veterinarian has
18 certified that a dog or cat is too sick or injured to be
19 sterilized or that it would be detrimental to the health of
20 the dog or cat to be sterilized at the time of the
21 adoption, the adopting owner has executed a written
22 document agreeing to have the sterilization performed
23 within 14 days after a licensed veterinarian certifies the

1 dog or cat as being healthy enough for sterilization.

2 (b) This Section does not apply to adoptions that are
3 subject to Section 11 of the Animal Control Act.

4 (c) Notwithstanding any other rulemaking authority that
5 may exist, neither the Governor nor any agency or agency head
6 under the jurisdiction of the Governor has any authority to
7 make or promulgate rules to implement or enforce the provisions
8 of this amendatory Act of the 95th General Assembly. If,
9 however, the Governor believes that rules are necessary to
10 implement or enforce the provisions of this amendatory Act of
11 the 95th General Assembly, the Governor may suggest rules to
12 the General Assembly by filing them with the Clerk of the House
13 and the Secretary of the Senate and by requesting that the
14 General Assembly authorize such rulemaking by law, enact those
15 suggested rules into law, or take any other appropriate action
16 in the General Assembly's discretion. Nothing contained in this
17 amendatory Act of the 95th General Assembly shall be
18 interpreted to grant rulemaking authority under any other
19 Illinois statute where such authority is not otherwise
20 explicitly given. For the purposes of this amendatory Act of
21 the 95th General Assembly, "rules" is given the meaning
22 contained in Section 1-70 of the Illinois Administrative
23 Procedure Act, and "agency" and "agency head" are given the
24 meanings contained in Sections 1-20 and 1-25 of the Illinois
25 Administrative Procedure Act to the extent that such
26 definitions apply to agencies or agency heads under the

1 jurisdiction of the Governor.

2 (225 ILCS 605/3.4 new)

3 Sec. 3.4. Release of animals to shelters. An animal shelter
4 or animal control facility may not release any animal to an
5 individual representing an animal shelter, unless the animal
6 shelter has been licensed or has a foster care permit issued by
7 the Department or the individual is a representative of a
8 not-for-profit, out-of-State organization. Notwithstanding any
9 other rulemaking authority that may exist, neither the Governor
10 nor any agency or agency head under the jurisdiction of the
11 Governor has any authority to make or promulgate rules to
12 implement or enforce the provisions of this amendatory Act of
13 the 95th General Assembly. If, however, the Governor believes
14 that rules are necessary to implement or enforce the provisions
15 of this amendatory Act of the 95th General Assembly, the
16 Governor may suggest rules to the General Assembly by filing
17 them with the Clerk of the House and the Secretary of the
18 Senate and by requesting that the General Assembly authorize
19 such rulemaking by law, enact those suggested rules into law,
20 or take any other appropriate action in the General Assembly's
21 discretion. Nothing contained in this amendatory Act of the
22 95th General Assembly shall be interpreted to grant rulemaking
23 authority under any other Illinois statute where such authority
24 is not otherwise explicitly given. For the purposes of this
25 amendatory Act of the 95th General Assembly, "rules" is given

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4 the Illinois Administrative Procedure Act to the extent that
5 such definitions apply to agencies or agency heads under the
6 jurisdiction of the Governor.

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