



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1835

Introduced 2/20/2009, by Sen. Gary G. Dahl

SYNOPSIS AS INTRODUCED:

510 ILCS 70/2.11 new

510 ILCS 70/2.12 new

510 ILCS 70/3

from Ch. 8, par. 703

Amends the Humane Care for Animals Act. Specifies the types of shelter that must be available to dogs and equines. Sets forth requirements that must be complied with if a dog is to be tethered.

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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 3 and by adding Sections 2.11 and 2.12 as
6 follows:

7 (510 ILCS 70/2.11 new)

8 Sec. 2.11. Equine. "Equine" means a member of the family
9 Equidae.

10 (510 ILCS 70/2.12 new)

11 Sec. 2.12. Tethering. "Tethering" means the securing of an
12 animal to an anchor point with a restraint in order to confine
13 the animal to a desired area.

14 (510 ILCS 70/3) (from Ch. 8, par. 703)

15 Sec. 3. Owner's duties.

16 (a) Each owner shall provide proper attention to and care
17 for each of his animals, including, but not limited to,
18 providing the following:

19 (1) ~~(a)~~ A sufficient daily quantity of good quality,
20 wholesome food and water provided in an appropriate
21 container, such as a food bowl or dish. During extreme

1 weather conditions, each owner must take adequate and, if
2 necessary, additional care to ensure that each of his
3 animals has full access to good quality, wholesome food and
4 to water that is plentiful and not frozen.†

5 (2) ~~(b)~~ Adequate ~~adequate~~ shelter and protection from
6 the weather. For purposes of this subdivision (2):†

7 (A) A dog's shelter is adequate if it is
8 structurally sound, waterproof, windproof, and
9 includes clean bedding and a floor raised off of the
10 ground. A dog's shelter is not adequate if it has a
11 dirt floor.

12 (B) An equine's shelter is adequate if it (i) is
13 structurally sound, (ii) has 3 sides and a waterproof
14 roof sufficient to protect the animal from the weather,
15 and (iii) provides, at a minimum, a sheltered area of
16 at least 10 feet by 15 feet for each equine.

17 (3) ~~(c)~~ Veterinary ~~veterinary~~ care when needed to
18 prevent suffering.† and

19 (4) ~~(d)~~ Humane ~~humane~~ care and treatment.

20 (b) If a dog is tethered in any manner, the following
21 minimum care is required:

22 (1) The restraint shall be a minimum of 15 feet in
23 length and attached to an appropriately fitted collar or
24 harness.

25 (2) The dog shall not be tethered adjacent to a fence
26 or any obstruction that places it in danger of injury or

1 death.

2 (3) If the dog is tethered more than 3 consecutive
3 hours, its restraint must allow unrestricted access to
4 adequate shelter and good quality, wholesome food and
5 water.

6 (4) If the dog is less than 4 months old, it shall not
7 be tethered.

8 (5) If a female dog is in season, she shall not be
9 tethered in a manner that allows male dogs to have access
10 to her.

11 (6) If a female dog is pregnant and nearing the end of
12 her gestational term, she shall not be tethered.

13 (c) A person convicted of violating this Section is guilty
14 of a Class B misdemeanor. A second or subsequent violation is a
15 Class 4 felony with every day that a violation continues
16 constituting a separate offense. In addition to any other
17 penalty provided by law, upon conviction for violating this
18 Section, the court may order the convicted person to undergo a
19 psychological or psychiatric evaluation and to undergo any
20 treatment at the convicted person's expense that the court
21 determines to be appropriate after due consideration of the
22 evaluation. If the convicted person is a juvenile or a
23 companion animal hoarder, the court must order the convicted
24 person to undergo a psychological or psychiatric evaluation and
25 to undergo treatment that the court determines to be
26 appropriate after due consideration of the evaluation.

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1 (Source: P.A. 92-650, eff. 7-11-02.)