



Rep. Thomas Holbrook

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09700HB0840ham001

LRB097 03669 CEL 51533 a

1 AMENDMENT TO HOUSE BILL 840

2 AMENDMENT NO. _____. Amend House Bill 840 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Humane Care for Animals Act is amended by
5 changing Sections 2, 2.06, and 3.01 and by adding Section 2.11
6 as follows:

7 (510 ILCS 70/2) (from Ch. 8, par. 702)

8 Sec. 2.

9 As used in this Act, unless the context otherwise requires,
10 the terms specified in Sections 2.01 through 2.11 ~~2.07~~ have the
11 meanings ascribed to them in those Sections.

12 (Source: P.A. 78-905.)

13 (510 ILCS 70/2.06) (from Ch. 8, par. 702.06)

14 Sec. 2.06. "Owner" means any person who (a) has a right of
15 property in an animal, (b) keeps or harbors an animal, (c) has

1 an animal in his care, or (d) acts as custodian of an animal.
2 "Owner" does not include a feral cat caretaker participating in
3 a trap, spay or neuter, and return or release program.

4 (Source: P.A. 78-905.)

5 (510 ILCS 70/2.11 new)

6 Sec. 2.11. Feral cat. "Feral cat" means a cat that (i) is
7 born in the wild or is the offspring of an owned or feral cat
8 and is not socialized, (ii) is a formerly owned cat that has
9 been abandoned and is no longer socialized, or (iii) lives on a
10 farm.

11 (510 ILCS 70/3.01) (from Ch. 8, par. 703.01)

12 Sec. 3.01. Cruel treatment. No person or owner may beat,
13 cruelly treat, torment, starve, overwork or otherwise abuse any
14 animal.

15 No owner may abandon any animal where it may become a
16 public charge or may suffer injury, hunger or exposure. It is
17 not a violation of this Section to trap, spay or neuter,
18 vaccinate, and release or return a feral cat to the feral cat's
19 original habitat by a caretaker to reduce the number of stray
20 cats.

21 A person convicted of violating this Section is guilty of a
22 Class A misdemeanor. A second or subsequent conviction for a
23 violation of this Section is a Class 4 felony. In addition to
24 any other penalty provided by law, upon conviction for

1 violating this Section, the court may order the convicted
2 person to undergo a psychological or psychiatric evaluation and
3 to undergo any treatment at the convicted person's expense that
4 the court determines to be appropriate after due consideration
5 of the evidence. If the convicted person is a juvenile or a
6 companion animal hoarder, the court must order the convicted
7 person to undergo a psychological or psychiatric evaluation and
8 to undergo treatment that the court determines to be
9 appropriate after due consideration of the evaluation.

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

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."