



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB4039

by Rep. Dan Brady

#### SYNOPSIS AS INTRODUCED:

510 ILCS 70/4.03	from Ch. 8, par. 704.03
510 ILCS 70/4.04	from Ch. 8, par. 704.04

Amends the Humane Care for Animals Act. Provides that it shall be unlawful for any person to willfully (instead of willfully and maliciously) taunt, torment, tease, beat, strike, torture, mutilate, injure, disable, poison, kill, or administer or subject any desensitizing drugs, chemicals, or substance to police animals, service animals, accelerant detection dogs, or search and rescue dogs.

LRB097 15982 CEL 61133 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 Sections 4.03 and 4.04 as follows:

6 (510 ILCS 70/4.03) (from Ch. 8, par. 704.03)

7 Sec. 4.03. Teasing, striking or tampering with police  
8 animals, service animals, accelerant detection dogs, or search  
9 and rescue dogs prohibited. It shall be unlawful for any person  
10 to willfully ~~and maliciously~~ taunt, torment, tease, beat,  
11 strike, or administer or subject any desensitizing drugs,  
12 chemicals, or substance to (i) any animal used by a law  
13 enforcement officer in the performance of his or her functions  
14 or duties, or when placed in confinement off duty, (ii) any  
15 service animal, (iii) any search and rescue dog, (iv) any  
16 police, service, or search and rescue animal in training, or  
17 (v) any accelerant detection canine used by a fire officer for  
18 arson investigations in the performance of his or her functions  
19 or while off duty. It is unlawful for any person to interfere  
20 or meddle with (i) any animal used by a law enforcement  
21 department or agency or any handler thereof in the performance  
22 of the functions or duties of the department or agency, (ii)  
23 any service animal, (iii) any search and rescue dog, (iv) any

1 law enforcement, service, or search and rescue animal in  
2 training, or (v) any accelerant detection canine used by a fire  
3 officer for arson investigations in the performance of his or  
4 her functions or while off duty.

5 Any person convicted of violating this Section is guilty of  
6 a Class A misdemeanor. A second or subsequent violation is a  
7 Class 4 felony.

8 (Source: P.A. 96-1171, eff. 7-22-10.)

9 (510 ILCS 70/4.04) (from Ch. 8, par. 704.04)

10 Sec. 4.04. Injuring or killing police animals, service  
11 animals, accelerant detection dogs, or search and rescue dogs  
12 prohibited. It shall be unlawful for any person to willfully  
13 ~~or maliciously~~ torture, mutilate, injure, disable, poison, or  
14 kill (i) any animal used by a law enforcement department or  
15 agency in the performance of the functions or duties of the  
16 department or agency or when placed in confinement off duty,  
17 (ii) any service animal, (iii) any search and rescue dog, (iv)  
18 any law enforcement, service, or search and rescue animal in  
19 training, or (v) any accelerant detection canine used by a fire  
20 officer for arson investigations in the performance of his or  
21 her functions or while off duty. However, a police officer or  
22 veterinarian may perform euthanasia in emergency situations  
23 when delay would cause the animal undue suffering and pain.

24 A person convicted of violating this Section is guilty of a  
25 Class 4 felony if the animal is not killed or totally disabled;

1 if the animal is killed or totally disabled, the person is  
2 guilty of a Class 3 felony.

3 (Source: P.A. 95-331, eff. 8-21-07; 95-560, eff. 8-30-07;  
4 96-1171, eff. 7-22-10.)