

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 Animal Control Act is amended by changing
5 Sections 10 and 11 as follows:

6 (510 ILCS 5/10) (from Ch. 8, par. 360)

7 Sec. 10. Impoundment; redemption. When dogs or cats are
8 apprehended and impounded, they must be scanned using a
9 universal scanner for the presence of a microchip and examined
10 for all other currently acceptable methods of identification,
11 including, but not limited to, identification tags, tattoos,
12 and rabies license tags. The examination for identification
13 shall be done within 24 hours of intake of each animal. The
14 Administrator shall make every reasonable attempt to contact
15 the owner as defined by Section 2.16 as soon as possible. The
16 Administrator shall give notice of not less than 7 business
17 days to the owner prior to disposal of the animal. Such notice
18 shall be mailed to the last known address of the owner.
19 Testimony of the Administrator, or his or her authorized agent,
20 who mails such notice shall be evidence of the receipt of such
21 notice by the owner of the animal. A mailed notice shall remain
22 the primary means of owner contact; however, the Administrator
23 shall also attempt to contact the owner by any other contact

1 information, such as by telephone or email address, provided by
2 the microchip or other method of identification found on the
3 animal. Any impounded cat or dog that lacks identifying
4 information shall be held for a minimum of 7 business days to
5 allow for the reclamation by their owner, agent, or caretaker.
6 This required holding period shall not apply to
7 owner-surrendered animals or other cases where the owner of the
8 animal is known and has relinquished, in writing, all claims to
9 the animal. If the animal has been microchipped and the owner
10 on the chip cannot be located or refuses to reclaim the animal,
11 attempt should be made to contact the previous owner as named
12 on the chip, as well as the agency or individual who purchased
13 the implanted chip found in the animal, prior to euthanizing,
14 transferring, or adoption.

15 In case the owner of any impounded dog or cat desires to
16 make redemption thereof, he or she may do so by doing the
17 following:

18 a. Presenting proof of current rabies inoculation and
19 registration, if applicable.

20 b. Paying for the rabies inoculation of the dog or cat
21 and registration, if applicable.

22 c. Paying the pound for the board of the dog or cat for
23 the period it was impounded.

24 d. Paying into the Animal Control Fund an additional
25 impoundment fee as prescribed by the Board as a penalty for
26 the first offense and for each subsequent offense.

1 e. Paying a \$25 public safety fine to be deposited into
2 the Pet Population Control Fund; the fine shall be waived
3 if it is the dog's or cat's first impoundment and the owner
4 has the animal spayed or neutered within 14 days.

5 f. Paying for microchipping and registration if not
6 already done.

7 The payments required for redemption under this Section
8 shall be in addition to any other penalties invoked under this
9 Act and the Illinois Public Health and Safety Animal Population
10 Control Act. An animal control agency shall assist and share
11 information with the Director of Public Health in the
12 collection of public safety fines.

13 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

14 (510 ILCS 5/11) (from Ch. 8, par. 361)

15 Sec. 11. When not redeemed by the owner, agent, or
16 caretaker, a dog or cat must be scanned for a microchip. If a
17 microchip is present, the registered owner must be notified.
18 After contact has been made or attempted, dogs or cats deemed
19 adoptable by the animal control facility shall be offered for
20 adoption, or made available to a licensed humane society or
21 rescue group. If no placement is available, it shall be
22 humanely dispatched pursuant to the Humane Euthanasia in Animal
23 Shelters Act. Prior to euthanizing or transferring the animal
24 to another humane shelter or rescue group, the animal should be
25 scanned again, using a universal scanner, for the presence of a

1 microchip and, if a microchip cannot be detected, examined for
2 all other currently acceptable methods of identification,
3 including, but not limited to, identification tags, tattoos,
4 and rabies license tag. An animal pound or animal shelter shall
5 not adopt or release any dog or cat to anyone other than the
6 owner unless the animal has been rendered incapable of
7 reproduction and microchipped, or the person wishing to adopt
8 an animal prior to the surgical procedures having been
9 performed shall have executed a written agreement promising to
10 have such service performed, including microchipping, within a
11 specified period of time not to exceed 30 days. Failure to
12 fulfill the terms of the agreement shall result in seizure and
13 impoundment of the animal and any offspring by the animal pound
14 or shelter, and any monies which have been deposited shall be
15 forfeited and submitted to the Pet Population Control Fund on a
16 yearly basis. This Act shall not prevent humane societies from
17 engaging in activities set forth by their charters; provided,
18 they are not inconsistent with provisions of this Act and other
19 existing laws. No animal shelter or animal control facility
20 shall release dogs or cats to an individual representing a
21 rescue group, unless the group has been licensed or has a
22 foster care permit issued by the Illinois Department of
23 Agriculture or is a representative of a not-for-profit
24 out-of-state organization. Animal shelters shall prioritize
25 the acceptance of animal intakes from within the State prior to
26 accepting a dog or cat from outside the State. The Department

1 may suspend or revoke the license of any animal shelter or
2 animal control facility that fails to comply with the
3 requirements set forth in this Section or that fails to report
4 its intake and euthanasia statistics each year.

5 (Source: P.A. 94-639, eff. 8-22-05; 95-550, eff. 6-1-08.)

6 Section 99. Effective date. This Act takes effect January
7 1, 2012.