

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 35 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 for the
9 presence of a microchip and examined for other currently
10 acceptable methods of identification, including, but not
11 limited to, identification tags, tattoos, and rabies license
12 tags. The examination for identification shall be done within
13 24 hours after the intake of each dog or cat. The Administrator
14 shall make every reasonable attempt to contact the owner as
15 defined by Section 2.16, agent, or caretaker as soon as
16 possible. The Administrator shall give notice of not less than
17 7 business days to the owner, agent, or caretaker prior to
18 disposal of the animal. Such notice shall be mailed to the last
19 known address of the owner, agent, or caretaker. Testimony of
20 the Administrator, or his or her authorized agent, who mails
21 such notice shall be evidence of the receipt of such notice by
22 the owner, agent, or caretaker of the animal. A mailed notice
23 shall remain the primary means of owner, agent, or caretaker

1 contact; however, the Administrator shall also attempt to
2 contact the owner, agent, or caretaker by any other contact
3 information, such as by telephone or email address, provided by
4 the microchip or other method of identification found on the
5 dog or cat. If the dog or cat has been microchipped and the
6 primary contact listed by the chip manufacturer cannot be
7 located or refuses to reclaim the dog or cat, an attempt shall
8 be made to contact any secondary contacts listed by the chip
9 manufacturer prior to adoption, transfer, or euthanization.
10 Prior to transferring the dog or cat to another humane shelter,
11 rescue group, or euthanization, the dog or cat shall be scanned
12 again for the presence of a microchip and examined for other
13 means of identification. If a second scan provides the same
14 identifying information as the initial intake scan and the
15 owner, agent, or caretaker has not been located or refuses to
16 reclaim the dog or cat, the animal control facility may proceed
17 with the adoption, transfer, or euthanization.

18 In case the owner, agent, or caretaker of any impounded dog
19 or cat desires to make redemption thereof, he or she may do so
20 by doing the following:

21 a. Presenting proof of current rabies inoculation and
22 registration, if applicable.

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

25 c. Paying the pound for the board of the dog or cat for
26 the period it was impounded.

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

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

9 f. Paying for microchipping and registration if not
10 already done.

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

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

18 (510 ILCS 5/35)

19 Sec. 35. Liability.

20 (a) Any municipality or political subdivision allowing
21 feral cat colonies and trap, sterilize, and return programs to
22 help control cat overpopulation shall be immune from criminal
23 liability and shall not be civilly liable, except for willful
24 and wanton misconduct, for damages that may result from a feral
25 cat. Any municipality or political subdivision allowing dog

1 parks shall be immune from criminal liability and shall not be
2 civilly liable, except for willful and wanton misconduct, for
3 damages that may result from occurrences in the dog park.

4 (b) Any veterinarian or animal shelter or animal control
5 facility who in good faith contacts the registered owner,
6 agent, or caretaker of a microchipped animal shall be immune
7 from criminal liability and shall not, as a result of his or
8 her acts or omissions, except for willful and wanton
9 misconduct, be liable for civil damages.

10 (c) Any veterinarian who sterilizes feral cats and any
11 feral cat caretaker who traps cats for a trap, sterilize, and
12 return program shall be immune from criminal liability and
13 shall not, as a result of his or her acts or omissions, except
14 for willful and wanton misconduct, be liable for civil damages.

15 (d) Any animal shelter or animal control facility worker
16 who microchips an animal shall be immune from criminal
17 liability and shall not, as a result of his or her acts or
18 omissions, except for willful and wanton misconduct, be liable
19 for civil damages.

20 (e) Any animal shelter or animal control worker who deems
21 it dangerous to scan an animal for a microchip or examine an
22 animal for other identification due to the fractious display of
23 the animal shall be immune from criminal liability and shall
24 not, as a result of his or her acts or omissions, except for
25 willful and wanton misconduct, be liable for civil damages.

26 (Source: P.A. 94-639, eff. 8-22-05.)

1 Section 99. Effective date. This Act takes effect January
2 1, 2012.