

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 as follows:

6 (510 ILCS 70/3) (from Ch. 8, par. 703)

7 Sec. 3. Owner's duties.

8 (a) Each owner shall provide for each of his or her
9 animals:

10 (1) a ~~(a)~~ sufficient quantity of good quality,
11 wholesome food and water;

12 (2) ~~(b)~~ adequate shelter and protection from the
13 weather;

14 (3) ~~(c)~~ veterinary care when needed to prevent
15 suffering; and

16 (4) ~~(d)~~ humane care and treatment.

17 (b) To lawfully tether a dog outdoors, an owner must ensure
18 that the dog:

19 (1) does not suffer from a condition that is known, by
20 that person, to be exacerbated by tethering;

21 (2) is tethered in a manner that will prevent it from
22 becoming entangled with other tethered dogs;

23 (3) is not tethered with a lead that (i) exceeds

1 one-eighth of the dog's body weight or (ii) is a tow chain
2 or a log chain;

3 (4) is tethered with a lead that measures, when rounded
4 to the nearest whole foot, at least 10 feet in length;

5 (5) is tethered with a properly fitting harness or
6 collar other than the lead or a pinch, prong, or choke-type
7 collar;

8 (6) is not tethered in a manner that will allow it to
9 reach within the property of another person, a public
10 walkway, or a road; and

11 (7) when tethered between 10 p.m. and 6 a.m., is
12 tethered for no more than 15 minutes or has access to
13 adequate shelter and protection from the weather as
14 required under subsection (a) of this Section.

15 (c) Subsection (b) of this Section shall not be construed
16 to prohibit:

17 (1) a person from walking a dog with a hand-held leash;

18 (2) conduct that is directly related to the cultivating
19 of agricultural products, including shepherding or herding
20 cattle or livestock, if the restraint is reasonably
21 necessary for the safety of the dog; or

22 (3) the tethering of a dog while at an organized and
23 lawful animal function, such as hunting, obedience
24 training, performance and conformance events, or law
25 enforcement training, or while in the pursuit of working or
26 competing in those endeavors.

1 (d) A person convicted of violating subsection (a) of this
2 Section is guilty of a Class B misdemeanor. A second or
3 subsequent violation of subsection (a) of this Section is a
4 Class 4 felony with every day that a violation continues
5 constituting a separate offense. In addition to any other
6 penalty provided by law, upon conviction for violating
7 subsection (a) of this Section, the court may order the
8 convicted person to undergo a psychological or psychiatric
9 evaluation and to undergo any treatment at the convicted
10 person's expense that the court determines to be appropriate
11 after due consideration of the evaluation. If the convicted
12 person is a juvenile or a companion animal hoarder, the court
13 must order the convicted person to undergo a psychological or
14 psychiatric evaluation and to undergo treatment that the court
15 determines to be appropriate after due consideration of the
16 evaluation.

17 (e) A person convicted of violating subsection (b) of this
18 Section is guilty of a Class B misdemeanor.

19 (f) As used in this Section, "tether" means to restrain by
20 tying to an object or structure, including, without limitation,
21 a house, tree, fence, post, garage, shed, or clothes line at a
22 person's residence or business, by any means, including,
23 without limitation, a chain, rope, cord, leash, or running
24 line.

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