

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; and

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.

11 (c) Subsection (b) of this Section shall not be construed  
12 to prohibit:

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

14 (2) conduct that is directly related to the cultivating  
15 of agricultural products, including shepherding or herding  
16 cattle or livestock, if the restraint is reasonably  
17 necessary for the safety of the dog;

18 (3) the tethering of a dog while at an organized and  
19 lawful animal function, such as hunting, obedience  
20 training, performance and conformance events, or law  
21 enforcement training, or while in the pursuit of working or  
22 competing in those endeavors; or

23 (4) a dog restrained in compliance with the  
24 requirements of a camping or recreational area as defined  
25 by a federal, State, or local authority or jurisdiction.

26 (d) A person convicted of violating subsection (a) of this

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

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

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

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