Rep. Daniel J. Burke

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09800HB0083ham003   LRB098 02895 MLW 43540 a

1   AMENDMENT TO HOUSE BILL 83

2   AMENDMENT NO. _____. Amend House Bill 83, AS AMENDED, by
3   replacing everything after the enacting clause with the
4   following:

5   "Section 5. The Humane Care for Animals Act is amended by
6   changing Section 3 as follows:

7   (510 ILCS 70/3) (from Ch. 8, par. 703)
8   Sec. 3. Owner's duties.
9   (a) Each owner shall provide for each of his or her
10   animals, at all times:
11   (1) a (a) sufficient quantity of good quality,
12   wholesome food and water;
13   (2) (b) adequate shelter and protection from the
14   weather;
15   (3) (c) veterinary care when needed to prevent
16   suffering; and

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

2   (b) To lawfully tether an unattended dog outdoors in excess

3   of 30 minutes, the person in possession or control of the dog

4   must ensure that the dog:

5   (1) does not suffer from a condition that is known, or

6   reasonably should have been known based on regular visits

7   to a veterinary professional, by the person in possession

8   or control of the dog, to be exacerbated by tethering;

9   (2) is tethered in a manner that will prevent it from

10   becoming entangled with other tethered dogs;

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

12   one-eighth of the dog's body weight or (ii) is a tow chain

13   or a log chain;

14   (4) is tethered with a lead that measures, when rounded

15   to the nearest whole foot, at least 10 feet in length;

16   (5) is tethered with a properly fitting harness or

17   collar excluding, but not limited to, a lead, pinch, prong,

18   or choke-type collar; and

19   (6) is not tethered in a manner that will allow it to

20   reach within the property of another person, a public

21   walkway, or a road.

22   (c) Subsection (b) of this Section shall not be construed

23   to prohibit:

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

25   (2) conduct that is directly related to the cultivating

26   of agricultural products, including shepherding or herding

1   cattle or livestock, if the restraint is reasonably

2   necessary for the safety of the dog; or

3   (3) the tethering of a dog while at an organized and

4   lawful animal function, such as hunting, obedience

5   training, performance and conformance events, or law

6   enforcement training, or while in the pursuit of working or

7   competing in those endeavors.

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

9   Section is guilty of a Class B misdemeanor. A second or

10 subsequent violation of subsection (a) of this Section is a

11 Class 4 felony with every day that a violation continues

12 constituting a separate offense. In addition to any other

13 penalty provided by law, upon conviction for violating

14 subsection (a) of this Section, the court may order the

15 convicted person to undergo a psychological or psychiatric

16 evaluation and to undergo any treatment at the convicted

17 person's expense that the court determines to be appropriate

18 after due consideration of the evaluation. If the convicted

19 person is a juvenile or a companion animal hoarder, the court

20 must order the convicted person to undergo a psychological or

21 psychiatric evaluation and to undergo treatment that the court

22 determines to be appropriate after due consideration of the

23 evaluation.

24   (e) A person convicted of violating subsection (b) of this

25 Section is guilty of a Class B misdemeanor.

26   (f) As used in this Section, "tether" means to restrain by

1   tying to an object or structure, including, without limitation,

2   a house, tree, fence, post, garage, shed, or clothes line at a

3   person's residence or business, by any means, including,

4   without limitation, a chain, rope, cord, leash, or running

5   line.

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