

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 Illinois Domestic Animals Running At Large
5 Act is amended by changing Sections 1.1 and 1.2 as follows:

6 (510 ILCS 55/1.1) (from Ch. 8, par. 1.1)

7 Sec. 1.1. Definitions. As used in this Act, unless the
8 context otherwise requires:

9 "Livestock", for the purposes of this Act only, means
10 bison, cattle, swine, sheep, goats, equidae, camelids,
11 ratites, or fowl ~~or geese~~.

12 "Owner" means any person who (a) has a right of property in
13 an animal, (b) keeps or harbors an animal, (c) has an animal in
14 his care, or (d) acts as custodian of an animal.

15 "Person" means any individual, firm, association,
16 partnership, corporation, or other legal entity, any public or
17 private institution, the State of Illinois, or any municipal
18 corporation or political subdivision of the State.

19 "Running at large" or "run at large" means livestock that
20 strays from confinement or restraint and from the limits of the
21 owner.

22 (Source: P.A. 84-28.)

1 (510 ILCS 55/1.2) (from Ch. 8, par. 1.2)

2 Sec. 1.2. A notice of a violation of this Act shall be
3 given to the person or owner of livestock running at large if
4 known and a maximum of 24 hours may be granted in which to make
5 the necessary corrections if the violation is an accidental
6 occurrence and an investigation reveals no identifiable
7 individual at fault. Any livestock allowed to run at large may
8 be impounded at a facility capable of restraining such
9 livestock. A notice of impoundment shall be delivered to the
10 owner of such livestock in person or by certified mail.

11 Law enforcement officials such as State Police, County
12 Sheriffs, ~~or~~ municipal police officers, animal control
13 administrators, animal control officers, or authorized agents
14 of the Illinois Department of Agriculture, or authorized agents
15 of the Illinois Department of Natural Resources, or the owner
16 or occupier of land may give notice and cause stray animals
17 which trespass to be impounded.

18 The person or persons having stray livestock impounded
19 shall make every reasonable effort to notify the owner or
20 keeper of the impounded livestock where such livestock is
21 impounded.

22 The person or persons requesting impoundment shall be held
23 harmless of any liability for injury to or for any financial
24 responsibility for such animals.

25 Stray animals may be impounded at any public stockyards,
26 livestock auction markets or any other facilities willing to

1 accept such animals for impoundment. The impounding facility
2 and its owner or owners shall not be held liable for any injury
3 or accrue any financial responsibility for such impounded
4 animals.

5 Any expense incurred in such impoundment shall become a
6 lien on the livestock impounded and must be discharged before
7 the livestock are released from the facility. The livestock may
8 be released to the owner prior to the expiration of the
9 impoundment period if impoundment costs are satisfied and the
10 owner provides evidence that he is capable of restraining the
11 livestock from running at large. If the owner refuses or fails
12 to provide such restraints, or the impounded animals are not
13 claimed and incurred costs paid within the period of
14 impoundment, such animals shall be sold either at a public
15 auction, or through a public stockyard or a livestock auction
16 market, offered for adoption, or humanely euthanized in
17 accordance with this Section. Before any livestock can be sold,
18 offered for adoption, or humanely euthanized as herein
19 provided, the person requesting the impoundment shall have
20 published notice of the intended sale, adoption, or
21 euthanization thereof in a newspaper of general circulation in
22 the area where the impounded animals were found to be running
23 at large. If the impounded livestock is not claimed within 10
24 days after the date of publication of such notice, the
25 livestock may be sold, offered for adoption, or humanely
26 euthanized in accordance with this Section. The proceeds of the

1 sale shall be applied first to discharge the lien and costs
2 associated with the sale of the livestock, and any balance
3 shall be paid to the owner. If any court of competent
4 jurisdiction issues any order concerning any impounded animal,
5 such animal shall immediately pass to the jurisdiction and
6 possession of the court bailiff of the jurisdiction in which
7 the order was issued.

8 If the lien and costs of the associated sale of the
9 livestock is determined to exceed the expected value of the
10 animal, then the animal may be deemed adoptable by the animal
11 control facility and may be offered for adoption. If no such
12 placement is available, then the animal may be humanely
13 euthanized.

14 (Source: P.A. 89-445, eff. 2-7-96.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.