

HB3768



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3768

by Rep. Daniel J. Burke

SYNOPSIS AS INTRODUCED:

510 ILCS 70/2.01b-1 new
510 ILCS 70/3.02

Amends the Humane Care for Animals Act. Provides that no person may knowingly beat, cruelly treat, torment, starve, overwork, or otherwise abuse any animal in the presence of a minor. Defines "in the presence of a minor".

LRB098 14784 MGM 49707 b

A BILL FOR

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 adding Section 2.01b-1 and by changing Section 3.02 as follows:

6 (510 ILCS 70/2.01b-1 new)

7 Sec. 2.01b-1. In the presence of a minor. "In the presence
8 of a minor" means in the physical presence of a person under 18
9 years of age or knowing or having reason to know that a person
10 under 18 years of age is present and may see or hear an act
11 constituting a violation.

12 (510 ILCS 70/3.02)

13 Sec. 3.02. Aggravated cruelty.

14 (a) No person may intentionally commit an act that causes a
15 companion animal to suffer serious injury or death. Aggravated
16 cruelty does not include euthanasia of a companion animal
17 through recognized methods approved by the Department of
18 Agriculture unless prohibited under subsection (b).

19 (a-5) No person may knowingly beat, cruelly treat, torment,
20 starve, overwork, or otherwise abuse any animal in the presence
21 of a minor.

22 (b) No individual, except a licensed veterinarian as

1 exempted under Section 3.09, may knowingly or intentionally
2 euthanize or authorize the euthanasia of a companion animal by
3 use of carbon monoxide.

4 (c) A person convicted of violating Section 3.02 is guilty
5 of a Class 4 felony. A second or subsequent violation is a
6 Class 3 felony. In addition to any other penalty provided by
7 law, upon conviction for violating this Section, the court may
8 order the convicted person to undergo a psychological or
9 psychiatric evaluation and to undergo any treatment at the
10 convicted person's expense that the court determines to be
11 appropriate after due consideration of the evaluation. If the
12 convicted person is a juvenile or a companion animal hoarder,
13 the court must order the convicted person to undergo a
14 psychological or psychiatric evaluation and to undergo
15 treatment that the court determines to be appropriate after due
16 consideration of the evaluation.

17 (Source: P.A. 96-780, eff. 8-28-09.)