



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5995

by Rep. Ed Sullivan

SYNOPSIS AS INTRODUCED:

510 ILCS 70/4.04

from Ch. 8, par. 704.04

Amends the Humane Care for Animals Act. Provides that a person who willfully or maliciously tortures, mutilates, injures, disables, poisons, or kills any animal used by a law enforcement department or agency in the performance of the functions or duties of the department or agency of when placed off duty, any service animal, any search and rescue dog, any law enforcement, service, or search and rescue animal in training, or any accelerant detection canine used by a fire officer for arson investigations in the performance of his or her functions or while off duty, if the animal is not killed or totally disabled, the person is guilty of a Class 3 felony, and if the animal is killed or totally disabled, the person is guilty of a Class 2 felony. Provides that a person who kills or severely injures any animal used by a law enforcement department or agency in the performance of the functions or duties of the department or agency of when placed off duty, any service animal, any search and rescue dog, any law enforcement, service, or search and rescue animal in training, or any accelerant detection canine used by a fire officer for arson investigations in the performance of his or her functions or while off duty, while he or she is in the commission of a felony, is guilty of a Class 2 felony. If the offender is found to be guilty under this Section, the offender shall be responsible for any veterinarian bills for an animal that was injured, and training costs for another animal, if the animal injured or killed is no longer able to be in service.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 changing Section 4.04 as follows:

6 (510 ILCS 70/4.04) (from Ch. 8, par. 704.04)

7 Sec. 4.04. Injuring or killing police animals, service
8 animals, accelerant detection dogs, or search and rescue dogs
9 prohibited. It shall be unlawful for any person to willfully
10 or maliciously torture, mutilate, injure, disable, poison, or
11 kill (i) any animal used by a law enforcement department or
12 agency in the performance of the functions or duties of the
13 department or agency or when placed in confinement off duty,
14 (ii) any service animal, (iii) any search and rescue dog, (iv)
15 any law enforcement, service, or search and rescue animal in
16 training, or (v) any accelerant detection canine used by a fire
17 officer for arson investigations in the performance of his or
18 her functions or while off duty. However, a police officer or
19 veterinarian may perform euthanasia in emergency situations
20 when delay would cause the animal undue suffering and pain.

21 A person convicted of violating this Section is guilty of a
22 Class 3 4 felony if the animal is not killed or totally
23 disabled; if the animal is killed or totally disabled, the

1 person is guilty of a Class 2 ~~3~~ felony.

2 A person who kills or severely injures (i) any animal used
3 by a law enforcement department or agency in the performance of
4 the functions or duties of the department or agency of when
5 placed off duty, (ii) any service animal, (iii) any search and
6 rescue dog, (iv) any law enforcement, service, or search and
7 rescue animal in training, or (v) any accelerant detection
8 canine used by a fire officer for arson investigations in the
9 performance of his or her functions or while off duty, while he
10 or she is in the commission of a felony, is guilty of a Class 2
11 felony.

12 If the offender is found to be guilty under this Section,
13 the offender shall be responsible for any veterinarian bills
14 for an animal that was injured, and training costs for another
15 animal, if the animal injured or killed is no longer able to be
16 in service.

17 (Source: P.A. 95-331, eff. 8-21-07; 95-560, eff. 8-30-07;
18 96-1171, eff. 7-22-10.)