

1 AN ACT in relation to animals.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Dangerous Animals Act is amended
5 by changing Sections 0.1, 1, 2, 3, and 4 and adding Sections
6 1.5 and 5 as follows:

7 (720 ILCS 585/0.1) (from Ch. 8, par. 240)

8 Sec. 0.1. Definitions. As used in this Act, unless the
9 context otherwise requires:

10 "Dangerous animal" means a lion, tiger, leopard, ocelot,
11 jaguar, cheetah, margay, mountain lion, lynx, bobcat,
12 jaguarundi, bear, hyena, wolf or coyote, or any poisonous or
13 life-threatening reptile.

14 "Department" means the Department of Agriculture.

15 "Director" means the Director of Agriculture.

16 "Owner" means any person who (a) has a right of property
17 in a dangerous animal, (b) keeps or harbors a dangerous
18 animal, (c) has a dangerous animal in his care, or (d) acts
19 as custodian of a dangerous animal.

20 "Person" means any individual, firm, association,
21 partnership, corporation, or other legal entity, any public
22 or private institution, the State of Illinois, or any
23 municipal corporation or political subdivision of the State.

24 "Primate" means any non-human mammal, other than a cat or
25 dog.

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

27 (720 ILCS 585/1) (from Ch. 8, par. 241)

28 Sec. 1. Harboring of dangerous animals and primates.

29 (a) No person shall have a right of property in, keep,
30 harbor, care for, act as custodian of or maintain in his or

1 her possession any dangerous animal or primate except at a
2 properly maintained zoological park, federally licensed
3 exhibit, circus, scientific or educational institution,
4 research laboratory, veterinary hospital or animal refuge in
5 an escape-proof enclosure.

6 (b) This Section does not apply to a person who has been
7 issued a permit to own or keep a primate by the Department
8 under Section 1.5.

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

10 (720 ILCS 585/1.5 new)

11 Sec. 1.5. Permit to keep primates.

12 (a) Except as otherwise provided in this Act, on and
13 after the effective date of this amendatory Act of the 92nd
14 General Assembly, the ownership, keeping, harboring, caring
15 for, acting as custodian of, or maintaining in one's
16 possession a primate is prohibited.

17 (b) The Department may license the ownership and
18 possession of primates that were:

19 (1) legally within this State at the time of the
20 effective date of this amendatory Act of the 92nd General
21 Assembly; or

22 (2) born within 60 days after the adoption of rules
23 to enforce this Section.

24 (c) A person who owns a primate as described in
25 subsection (b) may receive a permit from the Department that
26 allows the person to own and possess the primate if each of
27 the following conditions are or will be met:

28 (1) the person has furnished the Department with
29 evidence satisfactory to the Department that the primate
30 has been rendered permanently incapable of reproduction;

31 (2) a form of permanent identification has been
32 attached to the primate under rules adopted by the
33 Department; and

1 (3) the person follows any other rules adopted by
2 the Department for the enforcement of this Section.

3 (d) The Department may adopt rules:

4 (1) prohibiting the public display of primates
5 outside the private property of the owners who have
6 obtained permits under this Section, except for
7 transportation of the primates for veterinary care or
8 transport outside this State; and

9 (2) establishing minimum standards of care,
10 including veterinary care, for primates.

11 (e) A permit must be issued for each primate separately.
12 Each permit authorizes a named individual person to own a
13 permanently identifiable individual primate within this
14 State. A permit is not transferable between persons or
15 between primates.

16 (f) The Department may charge an annual permit fee in an
17 amount determined by the Department. The permit fees must be
18 deposited into the Primate Protection Fund that is created as
19 a revolving fund outside the State Treasury and under the
20 control of the Director.

21 (g) On and after the adoption of rules to enforce this
22 Section, the Department may levy a civil penalty of \$500 for
23 each primate that is kept, harbored, cared for, or maintained
24 in violation this Section. Moneys from the levy of these
25 civil penalties must be deposited into the Primate Protection
26 Fund.

27 (720 ILCS 585/2) (from Ch. 8, par. 242)

28 Sec. 2. Domestication. It is no defense to a violation
29 of Section 1 that the person violating such Section has
30 attempted to domesticate the dangerous animal. If there
31 appears to be imminent danger to the public, any dangerous
32 animal found not in compliance with the provisions of this
33 Act shall be subject to seizure and may immediately be placed

1 in an approved facility. Upon the conviction of a person
2 for a violation of Section 1, the animal with regard to which
3 the conviction was obtained shall be confiscated and placed
4 in an approved facility, with the owner thereof to be
5 responsible for all costs connected with the seizure and
6 confiscation of such animal. Approved facilities include, but
7 are not limited to, a zoological park, federally licensed
8 exhibit, humane society, veterinary hospital or animal
9 refuge.

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

11 (720 ILCS 585/3) (from Ch. 8, par. 243)

12 Sec. 3. Sentence. Any person violating this Act shall
13 be guilty of a Class C misdemeanor. Each day of violation
14 constitutes a separate offense.

15 In the event the person violating this Act is a
16 corporation or partnership, any officer, director, manager or
17 managerial agent of the partnership or corporation who
18 violates this Section or causes the partnership or
19 corporation to violate this Section is guilty of a Class C
20 misdemeanor.

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

22 (720 ILCS 585/4) (from Ch. 8, par. 244)

23 Sec. 4. Short title. This Act ~~shall be known--and~~ may
24 be cited as the "Illinois Dangerous Animals Act" and Primate
25 Protection Act".

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

27 (720 ILCS 585/5 new)

28 Sec. 5. Enforcement. The Department shall enforce this
29 Act and may adopt rules to carry out its responsibilities
30 under this Act.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.