

AN ACT concerning regulation.

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

Section 5. The Animal Control Act is amended by adding Sections 2.18b and 15.5 as follows:

(510 ILCS 5/2.18b new)

Sec. 2.18b. Reckless dog owner. "Reckless dog owner" means a person who owns a dog that while anywhere other than upon the property of the owner, and without justification, kills another dog that results in that dog being deemed a dangerous dog under Section 15.1 of this Act and who knowingly allows the dog to violate Section 9 of this Act on 2 occasions within 12 months of the incident for which the dog was deemed dangerous or is involved in another incident that results in the dog being deemed dangerous on a second occasion within 24 months of the original dangerous determination.

(510 ILCS 5/15.5 new)

Sec. 15.5. Reckless dog owner; complaint; penalty.

(a) The Administrator, State's Attorney, Director, or any citizen may file a complaint in circuit court to determine whether a person is a reckless dog owner. If an owner is determined to be a reckless dog owner by clear and convincing

evidence, the court shall order the immediate impoundment and forfeiture of all dogs the reckless dog owner has a property right in. Forfeiture may be to any licensed shelter, rescue, or sanctuary. The court shall further prohibit the property right ownership of a dog by the person determined to be a reckless dog owner for a period of at least 12 months, but not more than 36 months for the first reckless dog owner determination.

(a-5) A dog's history during ownership by a person found to be a reckless dog owner shall not be considered conclusive of the dog's temperament and qualification for adoption or transfer. The dog's temperament shall be independently evaluated by a person qualified to conduct behavioral assessments and, if deemed adoptable, the receiving facility shall make a reasonable attempt to place the dog in another home, transfer the dog to rescue, or place the dog in a sanctuary.

(b) A person who refuses to forfeit a dog under this Section is a violation which carries a public safety fine of \$500 for each dog to be deposited into the Pet Population Control Fund. Each day a person fails to comply with a forfeiture or prohibition ordered under this Section shall constitute a separate offense.