



Rep. Michael W. Tryon

Filed: 3/17/2009

09600HB2703ham001

LRB096 07740 JDS 23258 a

1 AMENDMENT TO HOUSE BILL 2703

2 AMENDMENT NO. _____. Amend House Bill 2703 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Animal Control Act is amended by changing
5 Sections 2.01, 2.03, 2.04a, 2.05a, 2.11, 2.11a, 2.11b, 2.16,
6 2.18, 2.19a, 2.19b, 3, 8, 9, 10, 11, 12, 13, 15, 15.1, 15.2,
7 16.5, 17, 26, and 35 and by adding Sections 2.01a, 2.02a,
8 2.02b, 2.04b, 2.04c, 2.04d, 2.18b, 2.18c, 9.2, 12.1, 15.5,
9 16.1, and 22.5 as follows:

10 (510 ILCS 5/2.01) (from Ch. 8, par. 352.01)

11 Sec. 2.01. "Administrator" means a veterinarian licensed
12 by the State of Illinois and appointed pursuant to this Act. A
13 ~~, or in the event a veterinarian cannot be found and appointed~~
14 ~~pursuant to this Act, a~~ non-veterinarian may serve as
15 Administrator under this Act. In the event the Administrator is
16 not a veterinarian, the Administrator shall defer to the Deputy

1 Administrator ~~veterinarian~~ regarding all medical decisions.

2 (Source: P.A. 93-548, eff. 8-19-03.)

3 (510 ILCS 5/2.01a new)

4 Sec. 2.01a. "Administrative Hearing Officer" means an
5 individual appointed by the County Board to hear cases
6 involving vicious dogs. The individual appointed shall be a
7 licensed attorney with experience in judicial proceedings
8 independent of the county.

9 (510 ILCS 5/2.02a new)

10 Sec. 2.02a. "Animal Control" means the Administrator,
11 Deputy Administrator, Animal Control Wardens, or the law
12 enforcement authorities charged with the enforcement of this
13 Act.

14 (510 ILCS 5/2.02b new)

15 Sec. 2.02b. "Animal Control Facility" means any facility
16 operated by or under contract for the State, County, or any
17 municipal corporation or political subdivision of the State for
18 the purpose of impounding or harboring seized, stray, homeless,
19 abandoned, or unwanted dogs, cats, and other animals.

20 (510 ILCS 5/2.03) (from Ch. 8, par. 352.03)

21 Sec. 2.03. "Animal Control Warden" or "Animal Control
22 Officer" means any person appointed by the Administrator to

1 perform the duties set forth in this Act.

2 (Source: P.A. 93-548, eff. 8-19-03.)

3 (510 ILCS 5/2.04a)

4 Sec. 2.04a. "Cat" means any feline for which there exists a
5 United States Department of Agriculture approved rabies
6 vaccine ~~Felis catus~~.

7 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

8 (510 ILCS 5/2.04b new)

9 Sec. 2.04b. "Companion animal" means an animal that is
10 commonly considered to be, or is considered by the owner to be,
11 a pet, including, but not limited to, canines, felines,
12 ferrets, and equines.

13 (510 ILCS 5/2.04c new)

14 Sec. 2.04c. "Competent Person" means a human being 16 years
15 of age or older who is capable of controlling and governing the
16 dog or cat in question.

17 (510 ILCS 5/2.04d new)

18 Sec. 2.04d. "Confinement" means (i) the restriction of an
19 animal by the owner or his agent to a building or other
20 enclosure in isolation from other animals and from persons
21 except for contact necessary for the animal's care, or (ii) if
22 the animal is authorized to leave its enclosure, the muzzling

1 and leashing of the animal.

2 (510 ILCS 5/2.05a)

3 Sec. 2.05a. "Dangerous dog" means (i) any individual dog
4 ~~anywhere other than upon the property of the owner or custodian~~
5 ~~of the dog and~~ unmuzzled, unleashed, or unattended by its owner
6 or custodian that behaves in a manner that a reasonable person
7 would believe poses a serious and unjustified imminent threat
8 of serious physical injury or death to a person or a companion
9 animal or (ii) a dog that, without justification, bites a
10 person and does not cause serious physical injury, or (iii) a
11 dog that injures a companion animal or livestock while off its
12 owner's property.

13 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

14 (510 ILCS 5/2.11) (from Ch. 8, par. 352.11)

15 Sec. 2.11.

16 "Dog" means any canine for which there exists a United
17 States Department of Agriculture approved rabies vaccine ~~all~~
18 ~~members of the family Canidae.~~

19 (Source: P.A. 78-795.)

20 (510 ILCS 5/2.11a)

21 Sec. 2.11a. "Enclosure" means a fence or structure of at
22 least 6 feet in height, forming or causing an enclosure
23 suitable to prevent the entry of young children, and suitable

1 to confine a vicious dog in conjunction with other measures
2 that may be taken by the owner or keeper, such as tethering of
3 the vicious dog within the enclosure. The enclosure shall be
4 securely enclosed and locked at all times and designed with
5 secure sides, top, and bottom and shall be designed to prevent
6 the animal from escaping from the enclosure. ~~If the enclosure~~
7 ~~is a room within a residence, it cannot have direct ingress~~
8 ~~from or egress to the outdoors unless it leads directly to an~~
9 ~~enclosed pen and the door must be locked. A vicious dog may be~~
10 ~~allowed to move about freely within the entire residence if it~~
11 ~~is muzzled at all times.~~

12 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

13 (510 ILCS 5/2.11b)

14 Sec. 2.11b. "Feral cat" means a cat that exists outdoors in
15 a wild or untamed state, either due to birth or reversion to a
16 wild state from domestication. The usual and consistent
17 temperament of a feral cat is extreme fear and resistance to
18 contact with humans. Feral cats are completely or substantially
19 unsocialized to humans. ~~(i) is born in the wild or is the~~
20 ~~offspring of an owned or feral cat and is not socialized, (ii)~~
21 ~~is a formerly owned cat that has been abandoned and is no~~
22 ~~longer socialized, or (iii) lives on a farm.~~

23 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

24 (510 ILCS 5/2.16) (from Ch. 8, par. 352.16)

1 Sec. 2.16. "Owner" means any person having a right of
2 property in an animal, or who keeps or harbors an animal, or
3 who has it in his care, or acts as its custodian, or who
4 knowingly permits an animal ~~a dog~~ to remain on any premises
5 occupied by him or her. "Owner" does not include a feral cat
6 caretaker participating in a trap, spay/neuter, return or
7 release program approved by the Administrator.

8 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

9 (510 ILCS 5/2.18b new)

10 Sec. 2.18b. "Running-at-large" means an animal that (i) is
11 not restrained by a competent person and (ii) is present
12 somewhere other than its owner's property.

13 (510 ILCS 5/2.18c new)

14 Sec. 2.18c. "Restraint" means (i) a leash or line, no more
15 than 6 feet in length, held by a competent person, (ii) a
16 fenced yard or an enclosure, (iii) a motor vehicle, or (iv) a
17 cage or other animal carrier.

18 (510 ILCS 5/2.19a)

19 Sec. 2.19a. "Serious physical injury" means a physical
20 injury that creates a substantial risk of death or that causes
21 death, muscle tears, ~~serious~~ disfigurement, protracted
22 impairment of health, impairment of the function of any bodily
23 organ, or requires multiple sutures or corrective or cosmetic

1 surgery without regard to whether the person actually sought
2 medical treatment ~~plastic surgery.~~

3 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

4 (510 ILCS 5/2.19b)

5 Sec. 2.19b. "Vicious dog" means a dog that, (i) without
6 justification, attacks a person and causes multiple sites of
7 physical injury, serious physical injury, or death, (ii) while
8 off its owner's property, kills any companion animal or
9 livestock, or (iii) any individual dog that has been found to
10 be a "dangerous dog" upon 2 ~~3~~ separate occasions.

11 (Source: P.A. 93-548, eff. 8-19-03.)

12 (510 ILCS 5/3) (from Ch. 8, par. 353)

13 Sec. 3. The County Board Chairman with the consent of the
14 County Board shall appoint an Administrator. Appointments
15 shall be made as necessary to keep this position filled at all
16 times. The Administrator may appoint as many Deputy
17 Administrators and Animal Control Wardens to aid him or her as
18 authorized by the Board. The compensation for the
19 Administrator, Deputy Administrators, and Animal Control
20 Wardens shall be fixed by the Board. The Administrator may be
21 removed from office by the County Board Chairman, with the
22 consent of the County Board.

23 The Board shall provide necessary personnel, training,
24 equipment, supplies, and facilities, and shall operate animal

1 control facilities ~~pounds~~ or contract for their operation as
2 necessary to effectuate the program. The Board may enter into
3 contracts or agreements with persons to assist in the operation
4 of the program and may establish a county animal population
5 control program.

6 The Board shall be empowered to utilize monies from their
7 General Corporate Fund to effectuate the intent of this Act.

8 The Board is authorized by ordinance to require the
9 registration of dogs and cats and may require microchipping of
10 dogs and cats. The Board shall impose an individual dog or cat
11 registration fee ~~with a minimum differential of \$10 for intact~~
12 ~~dogs or cats.~~ The Board may impose a separate individual
13 registration fee for dogs declared dangerous or vicious. Feral
14 cats may be exempted from this Section. ~~Ten dollars of the~~
15 ~~differential shall be placed either in a county animal~~
16 ~~population control fund or in the State's Pet Population~~
17 ~~Control Fund. If the money is placed in the county animal~~
18 ~~population control fund it shall be used to (i) spay, neuter,~~
19 ~~or sterilize adopted dogs or cats or (ii) spay or neuter dogs~~
20 ~~or cats owned by low income county residents who are eligible~~
21 ~~for the Food Stamp Program.~~ All persons selling dogs or cats or
22 keeping registries of dogs or cats shall cooperate and provide
23 information to the Administrator as required by Board
24 ordinance, including sales, number of litters, and ownership of
25 dogs and cats. If microchips are required, the microchip number
26 may serve as the county animal control registration number.

1 In obtaining information required to implement this Act,
2 the Department shall have power to subpoena and bring before it
3 any person in this State and to take testimony either orally or
4 by deposition, or both, with the same fees and mileage and in
5 the same manner as prescribed by law for civil cases in courts
6 of this State.

7 The Director shall have power to administer oaths to
8 witnesses at any hearing which the Department is authorized by
9 law to conduct, and any other oaths required or authorized in
10 any Act administered by the Department.

11 ~~This Section does not apply to feral cats.~~

12 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

13 (510 ILCS 5/8) (from Ch. 8, par. 358)

14 Sec. 8. Every owner of a dog 4 months or more of age shall
15 have each dog inoculated against rabies by a licensed
16 veterinarian. The Board is authorized by ordinance to require
17 the inoculation of cats against rabies. ~~Every dog shall have a~~
18 ~~second rabies vaccination within one year of the first.~~ Terms
19 of subsequent vaccine administration and duration of immunity
20 must be in compliance with USDA licenses of vaccines used.
21 Evidence of such rabies inoculation shall be entered on a
22 certificate the form of which shall be approved by the Board
23 and which shall contain the microchip number of the animal if
24 it has one and which shall be signed by the licensed
25 veterinarian administering the vaccine. Veterinarians who

1 inoculate a dog or cat shall procure from the County Animal
2 Control in the county where their office is located serially
3 numbered tags, one to be issued with each inoculation
4 certificate for each dog or cat residing in that county at the
5 fee established by the Board. Only one dog or cat shall be
6 included on each certificate. The veterinarian immunizing or
7 microchipping an animal shall provide the Administrator of the
8 county in which the animal resides with a certificate of
9 immunization and microchip number. The Board shall cause a
10 rabies inoculation tag to be issued, at a fee established by
11 the Board for each dog inoculated against rabies.

12 Rabies vaccine for use on animals shall be sold or
13 distributed only to and used only by licensed veterinarians.
14 Such rabies vaccine shall be licensed by the United States
15 Department of Agriculture.

16 Feral cats in a trap, spay/neuter, return, or release
17 program approved by the Administrator may be exempted from this
18 Section.

19 If a licensed veterinarian determines in writing that a
20 rabies inoculation would compromise an animal's health and if
21 the Administrator or, if the Administrator is not a
22 veterinarian, the Deputy Administrator, approves, then the
23 animal may shall be exempted exempt from the rabies inoculation
24 shot requirement; however, but the owner is must still be
25 responsible for the registering the dog or cat, if required by
26 the County Board, and paying the registration fees. If a bite

1 occurs, the exempt animal shall be treated as an unvaccinated
2 animal. An exempt animal must be vaccinated against rabies as
3 soon as its health permits.

4 The Administrator may impound any dog not inoculated as
5 required by the provisions of this Act.

6 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

7 (510 ILCS 5/9) (from Ch. 8, par. 359)

8 Sec. 9. Any companion animal ~~dog~~ found running at large
9 contrary to provisions of this Act may be apprehended and
10 impounded. For this purpose, the Administrator shall utilize
11 any existing or available animal control facility or licensed
12 animal shelter. ~~The dog's owner shall pay a \$25 public safety~~
13 ~~fine, \$20 of which shall be deposited into the Pet Population~~
14 ~~Control Fund and \$5 of which shall be retained by the county or~~
15 ~~municipality.~~ A dog or cat found running at large contrary to
16 the provisions of this Act a second or subsequent time shall
17 ~~must~~ be spayed or neutered within a specified period of time
18 not to exceed 30 days after being found running at large after
19 ~~being reclaimed~~ unless already spayed or neutered. ~~+~~ The
20 Administrator or Deputy Administrator must order a dog or cat
21 found running at large impounded, and the owner of the
22 impounded dog or cat must pay a \$50 fine, which fines shall be
23 deposited into the Animal Control Fund by the Administrator on
24 a quarterly basis ~~failure to comply shall result in~~
25 ~~impoundment.~~

1 A dog that is actively engaged in a legal hunting activity,
2 including training, is not considered to be running at large if
3 the dog is on land that is open to hunting or on land on which
4 the person has obtained permission to hunt or to train a dog. A
5 dog that is in a dog-friendly area or dog park is not
6 considered to be running at large if the dog is monitored or
7 supervised by a person.

8 (Source: P.A. 94-639, eff. 8-22-05; 95-550, eff. 6-1-08.)

9 (510 ILCS 5/9.2 new)

10 Sec. 9.2. Any companion animal presented to an animal
11 control facility by a member of the public is subject to the
12 provisions of Section 10 and Section 11 of this Act.

13 (510 ILCS 5/10) (from Ch. 8, par. 360)

14 Sec. 10. Impoundment; redemption. When companion animals
15 ~~dogs or cats~~ are apprehended and impounded, they must be
16 scanned for the presence of a microchip and cannot be adopted,
17 moved, or euthanized without being scanned for the presence of
18 a microchip for a second time. The Administrator shall make
19 every reasonable attempt to contact the owner as defined by
20 Section 2.16 as soon as possible. The Administrator shall give
21 notice of not less than 7 business days to the owner prior to
22 disposal of the animal. Such notice shall be mailed to the last
23 known address of the owner. Testimony of the Administrator, or
24 his or her authorized agent, who mails such notice shall be

1 evidence of the receipt of such notice by the owner or feral
2 cat caretaker of the animal.

3 Licensees and veterinarians shall, upon request, provide
4 the Administrator, Deputy Administrator, Animal Control
5 Officer, or law enforcement agency with the name, address, and
6 phone number of the owner of any companion animal in their
7 possession.

8 In case the owner or feral cat caretaker of any impounded
9 companion animal ~~dog or cat~~ desires to make redemption thereof,
10 he or she may do so by doing the following:

11 a. Presenting proof of current rabies inoculation and
12 registration, if applicable.

13 b. Paying for the rabies inoculation of the dog or cat
14 and registration, if applicable.

15 c. Paying the pound for the board of the dog or cat for
16 the period it was impounded.

17 d. Paying into the Animal Control Fund an additional
18 impoundment fee as prescribed by the Board as a penalty for
19 the first offense and for each subsequent offense.

20 e. (Blank). ~~Paying a \$25 public safety fine to be~~
21 ~~deposited into the Pet Population Control Fund; the fine~~
22 ~~shall be waived if it is the dog's or cat's first~~
23 ~~impoundment and the owner has the animal spayed or neutered~~
24 ~~within 14 days.~~

25 f. Paying for microchipping and registration if not
26 already done.

1 g. Presenting proof of ownership of the animal he or
2 she desires to redeem.

3 The payments required for redemption under this Section
4 shall be in addition to any other penalties invoked under this
5 Act ~~and the Illinois Public Health and Safety Animal Population~~
6 ~~Control Act.~~ The owner of an impounded animal is responsible
7 for all fees associated with the impoundment of the animal. If
8 the owner can be identified, the fees are due even if the owner
9 does not reclaim the animal. An animal control agency shall
10 assist and share information with the Director of Public Health
11 in the collection of public safety fines.

12 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

13 (510 ILCS 5/11) (from Ch. 8, par. 361)

14 Sec. 11. Companion animals ~~When not redeemed by the owner,~~
15 ~~agent, or caretaker, a dog or cat must be scanned for a~~
16 ~~microchip. If a microchip is present, the registered owner must~~
17 ~~be notified. After contact has been made or attempted, dogs or~~
18 ~~eats~~ deemed adoptable by the animal control facility may ~~shall~~
19 be offered for adoption, or made available to a licensed humane
20 society, or other licensed shelter or rescue group. If no
21 placement is available, it shall be humanely dispatched
22 pursuant to the Humane Euthanasia in Animal Shelters Act. An
23 animal control facility ~~pound~~ or animal shelter shall not adopt
24 or adopt out ~~release~~ any dog or cat to anyone other than the
25 owner unless the animal has been sterilized ~~rendered incapable~~

1 ~~of reproduction~~ and microchipped, or unless one of the
2 following is the case:

3 a. The adopting owner has executed a written agreement
4 agreeing to have sterilization and microchipping performed
5 within a specified period of time not to exceed 30 days
6 after the date of the adoption and has paid a deposit,
7 which must be refunded within a reasonable time after those
8 procedures are performed.

9 b. The adopting owner has executed a written agreement
10 to have sterilization and microchipping performed within
11 14 days after a licensed veterinarian certifies the dog or
12 cat is healthy enough for such procedures; a licensed
13 veterinarian has certified that the dog or cat is too sick
14 or injured to be sterilized or that it would be detrimental
15 to the health of the dog or cat to be sterilized or
16 microchipped at the time of adoption; and the adopting
17 owner has paid a deposit, which must be returned within a
18 reasonable time after the dog or cat is sterilized and
19 microchipped.

20 ~~or the person wishing to adopt an animal prior to the surgical~~
21 ~~procedures having been performed shall have executed a written~~
22 ~~agreement promising to have such service performed, including~~
23 ~~microchipping, within a specified period of time not to exceed~~
24 ~~30 days.~~ Failure to fulfill the terms of the agreement shall
25 result in seizure and impoundment of the animal and any
26 offspring by the animal control facility ~~pound~~ or shelter, and

1 any monies which have been deposited shall be forfeited ~~and~~
2 ~~submitted to the Pet Population Control Fund on a yearly basis.~~

3 This Act shall not prevent humane societies from engaging in
4 activities set forth by their charters; provided, they are not
5 inconsistent with provisions of this Act and other existing
6 laws. No animal shelter or animal control facility shall
7 release dogs or cats to an individual representing a rescue
8 group, unless the group has been licensed by or has a foster
9 care permit issued by the Illinois Department of Agriculture or
10 is a representative of a not-for-profit out-of-state
11 organization. The Department may suspend or revoke the license
12 of any animal shelter or animal control facility that fails to
13 comply with the requirements set forth in this Section or that
14 fails to report its intake and euthanasia statistics each year.
15 (Source: P.A. 94-639, eff. 8-22-05; 95-550, eff. 6-1-08.)

16 (510 ILCS 5/12) (from Ch. 8, par. 362)

17 Sec. 12. The owner of any animal which exhibits clinical
18 signs of rabies, whether or not the animal has been inoculated
19 against rabies, shall immediately notify the Administrator or,
20 if the Administrator is not a veterinarian, the Deputy
21 Administrator. The Administrator or, if the Administrator is
22 not a veterinarian, the Deputy Administrator ~~, and~~ shall
23 ~~promptly~~ confine or impound the animal, ~~or have it confined,~~
24 under licensed veterinary ~~suitable~~ observation, ~~for~~ for a period of
25 at least 10 days, unless officially authorized by the

1 Administrator or, if the Administrator is not a veterinarian,
2 the Deputy Administrator, in writing, to release it sooner. Any
3 animal that has had direct contact with the animal and that has
4 not been inoculated against rabies, shall be confined as
5 recommended by the Administrator or, if the Administrator is
6 not a veterinarian, the Deputy Administrator. If an owner fails
7 to confine the animal as required by the Administrator, animal
8 control shall impound the animal, and the owner shall be
9 responsible for the costs incurred.

10 (Source: P.A. 93-548, eff. 8-19-03.)

11 (510 ILCS 5/12.1 new)

12 Sec. 12.1. Dogs imported; quarantine. Dogs admitted into
13 the United States and subsequently into Illinois are subject to
14 the Public Health Service foreign quarantine regulations found
15 in title 42, Code of Federal Regulations, Section 71.51.

16 (a) A dog that is 3 months of age or older and that is
17 inoculated against rabies shall complete 30 days of
18 confinement after the date of rabies inoculation.

19 (b) A dog under 3 months of age shall be confined until
20 3 months of age; then inoculation for rabies to be followed
21 by 30 days of confinement.

22 (c) A dog that is 3 months of age or older and that is
23 not inoculated against rabies shall be confined until
24 inoculated to be followed by 30 days of confinement.

25 If an owner fails to confine the animal, as required by the

1 Administrator, animal control shall impound the animal, and the
2 owner shall be responsible for the costs incurred.

3 (510 ILCS 5/13) (from Ch. 8, par. 363)

4 Sec. 13. Dog or other animal bites; observation of animal.

5 (a) Except as otherwise provided in subsection (c) and (d)
6 ~~(b)~~ of this Section, when the Administrator or, if the
7 Administrator is not a veterinarian, the Deputy Administrator
8 receives information that any person has been bitten by an
9 animal, the Administrator or, if the Administrator is not a
10 veterinarian, the Deputy Administrator, or his or her
11 authorized representative, shall have such dog, cat, or other
12 animal confined under the observation of a licensed
13 veterinarian ~~for a period of 10 days.~~ Such confinement shall be
14 for a period of 10 days after the date the bite occurred. The
15 Department may permit such confinement to be reduced to a
16 period of less than 10 days. A veterinarian shall report the
17 clinical condition of the animal immediately, with
18 confirmation in writing to the Administrator or, if the
19 Administrator is not a veterinarian, the Deputy Administrator
20 within 24 hours after the animal is presented for examination,
21 giving the owner's name, address, the date of confinement, the
22 species, the breed, description, age, and sex of the animal,
23 and whether the animal has been spayed or neutered, on
24 appropriate forms approved by the Department. The
25 Administrator or, if the Administrator is not a veterinarian,

1 the Deputy Administrator shall notify the attending physician
2 or responsible health agency. At the end of the confinement
3 period, the veterinarian shall submit a written report to the
4 Administrator or, if the Administrator is not a veterinarian,
5 the Deputy Administrator advising him or her of the final
6 disposition of the animal on appropriate forms approved by the
7 Department. When evidence is presented that the animal was
8 inoculated against rabies within the time prescribed by law, it
9 ~~may shall~~ be confined in a house, or in a manner which will
10 prohibit it from biting any person for a period of 10 days, if
11 the Administrator or Deputy Administrator ~~a licensed~~
12 ~~veterinarian~~ adjudges such confinement satisfactory. The
13 Department may permit such confinement to be reduced to a
14 period of less than 10 days. At the end of the confinement
15 period, the animal shall be examined by a licensed
16 veterinarian. Dogs and cats 4 months or more of age that have
17 been sterilized and microchipped must be sterilized and
18 microchipped at the expense of the owner.

19 Any person having knowledge that any person has been bitten
20 by an animal shall notify the Administrator or, if the
21 Administrator is not a veterinarian, the Deputy Administrator
22 within 24 hours ~~promptly~~. It is unlawful for the owner of the
23 animal to euthanize, sell, give away, conceal the location of,
24 or otherwise dispose of any animal known to have bitten a
25 person, until it is released by the Administrator or, if the
26 Administrator is not a veterinarian, the Deputy Administrator,

1 or his or her authorized representative. It is unlawful for the
2 owner of the animal to refuse or fail to comply immediately
3 with the ~~reasonable~~ written or printed instructions made by the
4 Administrator or, if the Administrator is not a veterinarian,
5 the Deputy Administrator, or his authorized representative. If
6 such instructions cannot be delivered in person, they shall be
7 mailed to the owner of the animal by regular mail. Any expense
8 incurred in the handling of an animal under this Section and
9 Section 12 shall be borne by the owner. ~~The owner of a biting~~
10 ~~animal must also remit to the Department of Public Health, for~~
11 ~~deposit into the Pet Population Control Fund, a \$25 public~~
12 ~~safety fine within 30 days after notice.~~

13 (a-5) When an animal has bitten any person other than its
14 owner or the owner's immediate family, the owner shall pay a
15 \$25 fine to the Administrator. Fines collected under this
16 subsection shall be deposited into the Animal Control Fund by
17 the Administrator on a quarterly basis.

18 (b) When a person has been bitten by a police dog that is
19 currently vaccinated against rabies, the police dog may
20 continue to perform its duties for the peace officer or law
21 enforcement agency and any period of observation of the police
22 dog may be under the supervision of a peace officer. The
23 supervision shall consist of the dog being locked in a kennel,
24 performing its official duties in a police vehicle, or
25 remaining under the constant supervision of its police handler.

26 (c) When a person has been bitten by a search and rescue

1 dog that is currently vaccinated against rabies, the search and
2 rescue dog may continue to perform its duties for the handler
3 or agency, and any period of observation of the dog may be
4 under the supervision of its handler. The supervision shall
5 consist of the dog being locked in a kennel, performing its
6 official duties in a vehicle, or remaining under the constant
7 supervision of its handler.

8 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

9 (510 ILCS 5/15) (from Ch. 8, par. 365)

10 Sec. 15. (a) In order to have a dog deemed "vicious", the
11 Administrator, Deputy Administrator, animal control warden, or
12 law enforcement officer must give notice of the infraction that
13 is the basis of the investigation to the owner, conduct a
14 thorough investigation, interview any witnesses, including the
15 owner, gather any existing medical records, veterinary medical
16 records or behavioral evidence, and make a detailed report
17 recommending a finding that the dog is a vicious dog, give the
18 report to the owner, and schedule an administrative hearing
19 pursuant to the Illinois Administrative Procedure Act before a
20 hearing officer as defined in this Act or ~~and~~ give the report
21 to the States Attorney's Office ~~and the owner~~. The
22 Administrator, Deputy Administrator, State's Attorney,
23 Director or any citizen of the county in which the dog exists
24 may file a complaint in the circuit court in the name of the
25 People of the State of Illinois to have a dog deemed ~~deem a dog~~

1 ~~to be a vicious dog. Testimony of a certified applied~~
2 ~~behaviorist, a board certified veterinary behaviorist, or~~
3 ~~another recognized expert may be relevant to the court's~~
4 ~~determination of whether the dog's behavior was justified.~~ The
5 petitioner must prove the dog is a vicious dog by clear and
6 convincing evidence. The Administrator shall impound or
7 otherwise determine where the animal shall be confined during
8 the pendency of the case. The death of the dog, regardless of
9 the cause or method, shall not prevent it from being deemed a
10 vicious dog.

11 A dog may not be declared vicious if the court or
12 administrative hearing officer determines the conduct of the
13 dog was justified. ~~because:~~

14 ~~(1) the threat, injury, or death was sustained by a~~
15 ~~person who at the time was committing a crime or offense~~
16 ~~upon the owner or custodian of the dog, or was committing a~~
17 ~~willful trespass or other tort upon the premises or~~
18 ~~property owned or occupied by the owner of the animal;~~

19 ~~(2) the injured, threatened, or killed person was~~
20 ~~abusing, assaulting, or physically threatening the dog or~~
21 ~~its offspring, or has in the past abused, assaulted, or~~
22 ~~physically threatened the dog or its offspring; or~~

23 ~~(3) the dog was responding to pain or injury, or was~~
24 ~~protecting itself, its owner, custodian, or member of its~~
25 ~~household, kennel, or offspring.~~

26 No dog shall be deemed "vicious" if it is a professionally

1 trained dog for law enforcement or guard duties. Vicious dogs
2 shall not be classified in a manner that is specific as to
3 breed.

4 If the burden of proof has been met, the court or
5 Administrative Hearing Officer shall deem the dog to be a
6 vicious dog.

7 (b) If a dog is found to be a vicious dog, the owner shall
8 pay a \$500 ~~\$100 public safety~~ fine, which shall be deposited by
9 the Administrator into the Animal Control Fund in the County
10 where the attack occurred, and the court or administrative
11 hearing officer shall order the dog to be enclosed or
12 euthanized. If subject to enclosure, ~~to be deposited into the~~
13 ~~Pet Population Control Fund,~~ the dog, if not already, shall, at
14 the expense of its owners, be microchipped and spayed or
15 neutered (i) prior to release from impoundment or confinement
16 or (ii) within a prescribed period of time not to exceed 10
17 days after ~~of~~ the finding ~~at the expense of its owner and~~
18 ~~microchipped, if not already, and the dog is subject to~~
19 enclosure. A dog found to be a vicious dog shall not be
20 released to the owner until the Administrator, Deputy
21 Administrator, Animal Control Warden, or Director inspects and
22 approves the enclosure. An enclosure shall be subject to annual
23 inspection and approval by the Administrator, Deputy
24 Administrator, Animal Control Warden, or Director. The
25 Administrator shall order the owner of a vicious dog to display
26 in a prominent place a clearly visible sign of appropriate size

1 declaring that a vicious dog resides at that location. The
2 Administrator shall approve the design of the sign and may
3 require additional signs located at other points of entry. If
4 ~~an owner fails to comply with these requirements, the animal~~
5 ~~control agency shall impound the dog and the owner shall pay a~~
6 ~~\$500 fine plus impoundment fees to the animal control agency~~
7 ~~impounding the dog. The judge has the discretion to order a~~
8 ~~vicious dog be euthanized. A dog found to be a vicious dog~~
9 ~~shall not be released to the owner until the Administrator, an~~
10 ~~Animal Control Warden, or the Director approves the enclosure.~~

11 It is unlawful for the owner of a vicious dog to sell, give
12 away, or otherwise dispose of such a dog except by humane
13 euthanasia. No owner or keeper of a vicious dog shall sell or
14 ~~give away the dog without approval from the Administrator or~~
15 ~~court.~~ Whenever an owner of a vicious dog intends to relocate
16 ~~relocates~~, he or she shall notify both the Administrator of the
17 County Animal Control where he or she plans to relocate ~~has~~
18 ~~relocated~~ and the Administrator of the County Animal Control
19 where he or she currently resides ~~formerly resided~~. Whenever an
20 owner of a vicious dog intends to relocate to another state, he
21 or she shall notify (i) the Administrator or other comparable
22 authority in the jurisdiction where he or she plans to relocate
23 and (ii) the Administrator of the County Animal Control where
24 he or she currently resides. The dog shall not be relocated
25 until the new location and the manner of relocation have been
26 approved by the appropriate authority.

1 If at any time an owner fails to comply with these
2 requirements, the animal control agency shall impound the dog,
3 and the owner shall pay a \$1,000 fine plus impoundment fees to
4 the animal control agency impounding the dog.

5 (c) ~~(b)~~ It shall be unlawful for any person to keep or
6 maintain any dog which has been found to be a vicious dog
7 unless the dog is kept in an enclosure. The only times that a
8 vicious dog may be allowed out of the enclosure are (1) if it
9 is necessary for the owner or keeper to obtain veterinary care
10 for the dog, (2) in the case of an emergency or natural
11 disaster where the dog's life is threatened, or (3) to comply
12 with the order of a court of competent jurisdiction, provided
13 that the dog is securely muzzled and restrained with a leash
14 not exceeding 6 feet in length with a minimum tensile strength
15 of 300 pounds, and shall be under the direct control and
16 supervision of the owner or keeper of the dog ~~or muzzled in its~~
17 ~~residence.~~

18 (d) Any dog which has been found to be a vicious dog and
19 which is not confined to an enclosure shall be impounded by the
20 Administrator, an Animal Control Warden, or the law enforcement
21 authority having jurisdiction in such area, and the owner shall
22 pay a \$1,000 fine plus impoundment fees to the animal control
23 agency impounding the dog.

24 (e) If the owner of the dog has not appealed the
25 impoundment order to the circuit court in the county in which
26 the animal was impounded within 10 business ~~15 working~~ days,

1 the dog shall ~~may~~ be euthanized.

2 Upon filing a notice of appeal, the order of euthanasia
3 shall be automatically stayed pending the outcome of the
4 appeal. The owner shall bear the burden of timely notification
5 to animal control in writing.

6 (f) Guide dogs for the blind or hearing impaired, support
7 dogs for the physically handicapped, and sentry, guard, or
8 police-owned dogs are exempt from this Section; provided, an
9 attack or injury to a person occurs while the dog is performing
10 duties as expected. To qualify for exemption under this
11 Section, each such dog shall be currently inoculated against
12 rabies in accordance with Section 8 of this Act. It shall be
13 the duty of the owner of such exempted dog to notify the
14 Administrator of changes of address. In the case of a sentry or
15 guard dog, the owner shall keep the Administrator advised of
16 the location where such dog will be stationed. The
17 Administrator shall provide police and fire departments with a
18 categorized list of such exempted dogs, and shall promptly
19 notify such departments of any address changes reported to him.

20 (g) ~~(e)~~ If the animal control agency has custody of the
21 dog, pursuant to this Section, the agency may file a petition
22 with the court requesting that the owner be ordered to post
23 security. The security must be in an amount sufficient to
24 secure payment of all reasonable expenses expected to be
25 incurred by the animal control agency or animal shelter in
26 caring for and providing for the dog pending the determination.

1 Reasonable expenses include, but are not limited to, estimated
2 medical care and boarding of the animal for 30 days. If
3 security has been posted in accordance with this Section, the
4 animal control agency may draw from the security the actual
5 costs incurred by the agency in caring for the dog.

6 (h) ~~(d)~~ Upon receipt of a petition, the court must set a
7 hearing on the petition, to be conducted within 5 business days
8 after the petition is filed. The petitioner must serve a true
9 copy of the petition upon the defendant at least 48 hours
10 before the scheduled hearing.

11 (i) ~~(e)~~ If the court orders the posting of security, the
12 security must be posted with the clerk of the court within 5
13 business days after the hearing. If the person ordered to post
14 security does not do so, the dog is forfeited by operation of
15 law and the animal control agency shall ~~must~~ dispose of the
16 animal through ~~adoption or humane euthanasia~~ euthanization.

17 (j) The Administrator may require the dog to wear a bright
18 fluorescent yellow collar visible at 50 feet in normal
19 daylight. The Administrator shall provide the collar at the
20 owner's expense.

21 (k) The owner or custodian of the dog shall notify the
22 Animal Control Facility or the Administrator immediately in the
23 event the dog is running at large, has committed an attack on
24 any person or animal, or has died.

25 (l) The owner of a vicious dog may be prohibited from
26 owning, possessing, controlling, or having custody of any dog

1 for a period of up to 3 years if the court or administrative
2 hearing officer determines that the person's ownership or
3 possession of a dog by the person would create a significant
4 threat to the public health, safety, and welfare.

5 (m) A person who violates subsection (f), (g), or (h) of
6 this Section is subject to a \$1,000 fine.

7 (n) For purposes of this Section, all costs of impoundment,
8 disposition, boarding, medical, or other costs related to the
9 determination of a vicious dog shall be borne by the owner.

10 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

11 (510 ILCS 5/15.1)

12 Sec. 15.1. Dangerous dog determination.

13 (a) After a thorough investigation including: sending,
14 within 10 business days of the Administrator or Director
15 becoming aware of the alleged infraction, notifications to the
16 owner of the alleged infractions, the fact of the initiation of
17 an investigation, and affording the owner an opportunity to
18 meet with the Administrator or Director prior to the making of
19 a determination; gathering of any medical or veterinary
20 evidence; interviewing witnesses; and making a detailed
21 written report, an animal control warden, deputy
22 administrator, or law enforcement agent may ask the
23 Administrator, or his or her designee, or the Director, to deem
24 a dog to be "dangerous". No dog shall be deemed a "dangerous
25 dog" unless shown to be a dangerous dog by a preponderance of

1 evidence. The owner shall be sent immediate notification of the
2 determination by registered or certified mail that includes a
3 complete description of the appeal process.

4 (b) A dog shall not be declared dangerous if the
5 Administrator, or his or her designee, or the Director
6 determines the conduct of the dog was justified, ~~because:~~

7 ~~(1) the threat was sustained by a person who at the~~
8 ~~time was committing a crime or offense upon the owner or~~
9 ~~custodian of the dog or was committing a willful trespass~~
10 ~~or other tort upon the premises or property occupied by the~~
11 ~~owner of the animal;~~

12 ~~(2) the threatened person was abusing, assaulting, or~~
13 ~~physically threatening the dog or its offspring;~~

14 ~~(3) the injured, threatened, or killed companion~~
15 ~~animal was attacking or threatening to attack the dog or~~
16 ~~its offspring; or~~

17 ~~(4) the dog was responding to pain or injury or was~~
18 ~~protecting itself, its owner, custodian, or a member of its~~
19 ~~household, kennel, or offspring.~~

20 ~~(c) Testimony of a certified applied behaviorist, a board~~
21 ~~certified veterinary behaviorist, or another recognized expert~~
22 ~~may be relevant to the determination of whether the dog's~~
23 ~~behavior was justified pursuant to the provisions of this~~
24 ~~Section.~~

25 (c) ~~(d)~~ If deemed dangerous, the Administrator, or his or
26 her designee, or the Director shall order (i) the dog's owner

1 to pay a \$150 ~~\$50 public safety~~ fine to be deposited into the
2 Animal Pet Population Control Fund, (ii) the dog to be spayed
3 or neutered within 10 business ~~14~~ days at the owner's expense
4 and microchipped, if not already, and (iii) ~~one or more of the~~
5 ~~following as deemed appropriate under the circumstances and~~
6 ~~necessary for the protection of the public:~~

7 ~~(1) evaluation of the dog by a certified applied~~
8 ~~behaviorist, a board certified veterinary behaviorist, or~~
9 ~~another recognized expert in the field and completion of~~
10 ~~training or other treatment as deemed appropriate by the~~
11 ~~expert. The owner of the dog shall be responsible for all~~
12 ~~costs associated with evaluations and training ordered~~
13 ~~under this subsection; or~~

14 ~~(2) the dog to be under the physical control of direct~~
15 ~~supervision by an adult 18 years of age or older whenever~~
16 ~~the animal is off of the on public premises of its owner.~~

17 (d) ~~(e)~~ The Administrator may order a dangerous dog to be
18 muzzled whenever it is off of the on public premises of its
19 owner in a manner that will prevent it from biting any person
20 or animal, but that shall not injure the dog or interfere with
21 its vision or respiration.

22 (e) The Administrator may order a dangerous dog to be
23 restrained to its owner's property in a manner approved by the
24 Administrator.

25 (f) The Administrator shall order each owner of a dangerous
26 dog to display in a prominent place on the premises where a

1 dangerous dog resides a clearly visible sign of appropriate
2 size declaring that a dangerous dog resides at that location.
3 The Administrator shall approve the design of the sign and may
4 require additional signs located at other points of entry.

5 (g) The Administrator may require the dog to wear a bright
6 fluorescent yellow collar visible at 50 feet in normal
7 daylight. The Administrator must provide the collar at the
8 owner's expense.

9 (h) Whenever an owner of a dangerous dog relocates, he or
10 she shall notify both the Administrator of the County Animal
11 Control where he or she has relocated and the Administrator of
12 the County Animal Control where he or she formerly resided.

13 Whenever an owner of a dangerous dog relocates to another
14 state, he or she shall notify (i) the Administrator or other
15 comparable authority in the jurisdiction where he or she
16 relocates and (ii) the Administrator of the County Animal
17 Control where he or she formerly resided.

18 (i) The owner or custodian of the dog shall notify the
19 Animal Control Facility or the Administrator immediately in the
20 event the dog is running at large, has committed an attack on
21 any person or animal, or has died.

22 (j) No owner or keeper of a vicious dog shall sell or give
23 away the dog without approval from the Administrator or court.

24 (k) ~~(f)~~ Guide dogs for the blind or hearing impaired,
25 support dogs for the physically handicapped, and sentry, guard,
26 or police-owned dogs are exempt from this Section; provided, an

1 attack or injury to a person occurs while the dog is performing
2 duties as expected. To qualify for exemption under this
3 Section, each such dog shall be currently inoculated against
4 rabies in accordance with Section 8 of this Act and performing
5 duties as expected. It shall be the duty of the owner of the
6 exempted dog to notify the Administrator of changes of address.
7 In the case of a sentry or guard dog, the owner shall keep the
8 Administrator advised of the location where such dog will be
9 stationed. The Administrator shall provide police and fire
10 departments with a categorized list of the exempted dogs, and
11 shall promptly notify the departments of any address changes
12 reported to him or her.

13 ~~(g) An animal control agency has the right to impound a~~
14 ~~dangerous dog if the owner fails to comply with the~~
15 ~~requirements of this Act.~~

16 (l) If the owner of a dangerous dog fails to comply with
17 the Administrator's order, the dog shall be impounded, and the
18 owner shall pay a \$500 fine. The dog may be returned to the
19 owner upon payment of all costs associated with the impoundment
20 and compliance with the order within 7 business days after the
21 impoundment. Failure to pay the fine and comply with the order
22 within the prescribed period will result in the euthanization
23 of the dog.

24 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

1 Sec. 15.2. Dangerous dogs; leash. It is unlawful for any
2 person to ~~knowingly or recklessly~~ permit any dangerous dog to
3 leave the premises of its owner when not muzzled, if required,
4 and under control by a leash having a minimum tensile strength
5 of 300 pounds and not exceeding 6 feet in length, or other
6 recognized control methods.

7 (Source: P.A. 93-548, eff. 8-19-03.)

8 (510 ILCS 5/15.5 new)

9 Sec. 15.5. Recognition of Out-of-State Determinations.
10 Out-of-State determinations, declarations, and orders deeming
11 a dog vicious, dangerous, or potentially dangerous shall be
12 valid in Illinois. The owner of a dog determined to be or
13 declared to be vicious, dangerous, or potentially dangerous by
14 another state and that is relocated to Illinois or transported
15 through Illinois shall comply with the requirements in this
16 Act. In the case of a dog being permanently relocated to
17 Illinois, the owner shall notify the Administrator of the
18 County where the owner plans to reside within 10 business days
19 after the dog enters the State.

20 (510 ILCS 5/16.1 new)

21 Sec. 16.1. Dog injuring or killing a person. Any person who
22 observes another person being injured or wounded by a dog may
23 kill the dog. No person shall be liable for injuring or killing
24 the dog.

1 (510 ILCS 5/16.5)

2 Sec. 16.5. Expenses of microchipping. A clinic for
3 microchipping companion animals of county residents should be
4 conducted at least once a year under the direction of the
5 Administrator or, if the Administrator is not a veterinarian,
6 the Deputy Administrator at the animal control facility, animal
7 shelter, or other ~~central~~ location within the county. ~~The~~
8 ~~maximum amount that can be charged for microchipping an animal~~
9 ~~at this clinic shall be \$15.~~ Funds generated from this clinic
10 shall be deposited in the county's animal control fund.

11 (Source: P.A. 93-548, eff. 8-19-03.)

12 (510 ILCS 5/17) (from Ch. 8, par. 367)

13 Sec. 17. For the purpose of making inspections hereunder,
14 the Administrator, or his or her authorized representative, or
15 any law enforcement officer may enter upon private premises,
16 provided that the entry shall not be made into any building
17 that is a person's residence, to apprehend a straying dog or
18 other animal, a dangerous or vicious dog or other animal, ~~or~~ an
19 animal thought to be infected with rabies, an animal that has
20 reportedly bitten a person, or an animal in violation of any
21 provision of this Act. If, after request therefor, the owner of
22 the dog or other animal shall refuse to deliver the dog or
23 other animal to the officer, the owner shall be in violation of
24 this Act.

1 (Source: P.A. 93-548, eff. 8-19-03.)

2 (510 ILCS 5/22.5 new)

3 Sec. 22.5. Reports of animal control facilities.

4 (a) Each animal control facility in the State shall report
5 all dog bites occurring within its jurisdiction to the
6 Department by March 1st of each year. Dog bites shall be
7 reported by breed.

8 (b) Each animal control facility in the State shall report
9 each declared dangerous and vicious dogs in its jurisdiction to
10 the Department within 30 days after the dog is declared
11 dangerous or vicious.

12 (c) Each animal control facility in the State shall report
13 the relocation of each declared dangerous and vicious dog in
14 its jurisdiction to the Department within 30 days after the dog
15 is relocated.

16 (d) The Department shall make available to all animal
17 control agencies and to the public, an Internet web site
18 containing the description, location, and ownership
19 information of dangerous and vicious dogs.

20 (e) The Department shall adopt rules for the implementation
21 of this Section.

22 (510 ILCS 5/26) (from Ch. 8, par. 376)

23 Sec. 26. (a) Except as otherwise provided in this Act, any
24 person violating or aiding in or abetting the violation of any

1 provision of this Act, or counterfeiting or forging any
2 certificate, permit, or tag, or making any misrepresentation in
3 regard to any matter prescribed by this Act, or resisting,
4 obstructing, or impeding the Administrator or any authorized
5 officer in enforcing this Act, or refusing to produce for
6 inoculation any dog in his possession, or who removes a tag
7 from a dog or cat for purposes of destroying or concealing its
8 identity, is guilty of a Class C misdemeanor for a first
9 offense and for a subsequent offense, is guilty of a Class B
10 misdemeanor.

11 Each day a person fails to comply constitutes a separate
12 offense. Each State's Attorney to whom the Administrator
13 reports any violation of this Act shall cause appropriate
14 proceedings to be instituted in the proper courts without delay
15 and to be prosecuted in the manner provided by law.

16 (b) If the owner of a vicious dog subject to enclosure:

17 (1) fails to maintain or keep the dog in an enclosure
18 or fails to spay or neuter the dog or microchip the dog
19 within the time period prescribed; and

20 (2) the dog inflicts physical injury or serious
21 physical injury upon any other person or companion animal
22 or causes or contributes to the death of another person or
23 companion animal; and

24 (3) the attack is unprovoked in a place where such
25 person is peaceably conducting himself or herself and where
26 such person may lawfully be;

1 the owner shall be guilty of a Class 3 felony, and the
2 Administrator shall impound and euthanize the dog, unless the
3 owner knowingly allowed the dog to run at large or failed to
4 take steps to keep the dog in an enclosure then the owner shall
5 be guilty of a Class 2 felony and the Administrator shall
6 impound and euthanize the dog. The penalty provided in this
7 paragraph shall be in addition to any other criminal or civil
8 sanction provided by law.

9 (c) If the owner of a dangerous dog knowingly fails to
10 comply with any order regarding the dog and the dog inflicts
11 physical injury or serious physical injury on a person or a
12 companion animal, the owner shall be guilty of a Class 4 felony
13 and the Administrator shall impound and euthanize the dog. If
14 the owner of a dangerous dog knowingly fails to comply with any
15 order regarding the dog and the dog kills a person or
16 contributes to the death of a person the owner shall be guilty
17 of a Class 3 felony and the Administrator shall impound and
18 euthanize the dog.

19 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05;
20 94-819, eff. 5-31-06.)

21 (510 ILCS 5/35)

22 Sec. 35. Liability.

23 (a) Any municipality or political subdivision allowing
24 feral cat colonies and trap, sterilize, and return programs to
25 help control cat overpopulation shall be immune from criminal

1 liability and shall not be civilly liable, except for willful
2 and wanton misconduct, for damages that may result from a feral
3 cat. Any municipality or political subdivision allowing dog
4 parks shall be immune from criminal liability and shall not be
5 civilly liable, except for willful and wanton misconduct, for
6 damages that may result from occurrences in the dog park.

7 (b) Any veterinarian or animal shelter who in good faith
8 contacts the registered owner of a microchipped animal shall be
9 immune from criminal liability and shall not, as a result of
10 his or her acts or omissions, except for willful and wanton
11 misconduct, be liable for civil damages.

12 (c) Any veterinarian who sterilizes feral cats and any
13 feral cat caretaker who traps cats for a trap, sterilize, and
14 return program approved by the Administrator shall be immune
15 from criminal liability and shall not, as a result of his or
16 her acts or omissions, except for willful and wanton
17 misconduct, be liable for civil damages.

18 (d) Any animal shelter worker who microchips an animal
19 shall be immune from criminal liability and shall not, as a
20 result of his or her acts or omissions, except for willful and
21 wanton misconduct, be liable for civil damages.

22 (Source: P.A. 94-639, eff. 8-22-05.)

23 (510 ILCS 5/2.18 rep.)

24 Section 10.The Animal Control Act is amended by repealing
25 Section 2.18."