



Sen. Linda Holmes

Filed: 3/1/2010

09600SB2580sam001

LRB096 15129 JDS 37967 a

1 AMENDMENT TO SENATE BILL 2580

2 AMENDMENT NO. _____. Amend Senate Bill 2580 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Humane Care for Animals Act is amended by
5 adding Section 3.035 as follows:

6 (510 ILCS 70/3.035 new)

7 Sec. 3.035. Tethering.

8 (a) As used in this Section, "tether" means to restrain a
9 dog by tying it to any object or structure, including without
10 limitation a house, tree, fence, post, garage, shed, or clothes
11 line on the person's residence or business, by any means,
12 including without limitation a chain, rope, cord, leash, or
13 running line.

14 (b) A dog may be tethered outdoors only if all of the
15 following requirements are met:

16 (1) The dog must not suffer from a condition that is

1 known by the owner and that is exacerbated by being
2 tethered.

3 (2) If multiple dogs are tethered on the same property,
4 each dog must be tethered separately. If multiple dogs are
5 tethered, sufficient space must be placed between the leads
6 to ensure that the leads do not tangle.

7 (3) The lead must not be made of a tow chain or log
8 chain.

9 (4) The lead must measure 10 feet or longer in length.
10 For the purposes of calculating length under this Section,
11 the enforcing agency shall, after determining the total
12 length of the lead, round remaining fractional portions of
13 a foot greater than or equal to half of a foot up to the
14 next whole foot.

15 (5) The lead must be attached to the dog by a properly
16 fitting harness or collar. The lead must not wrap directly
17 around the dog's neck. Pinch, prong, or choke-type collars
18 shall not be used to tether a dog.

19 (6) The length and location of the lead must prevent
20 the dog from moving outside of its owner's property.

21 (c) Even if all of the requirements of subsection (b) are
22 met, it shall be unlawful to tether a dog outdoors between the
23 hours of 10 pm and 6 am; except that a dog of any age may be
24 temporarily tethered, tied, or chained outdoors for a time
25 period not exceeding 15 minutes or a dog may be tethered if it
26 has access to adequate shelter and protection from the weather.

1 (d) Nothing in this Section shall be construed to prohibit
2 the following:

3 (1) a person from walking a dog with a hand-held leash;

4 (2) conduct that is directly related to the cultivating
5 of agricultural products, including shepherding or herding
6 cattle or livestock, if the restraint is reasonably
7 necessary for the safety of the dog; or

8 (3) tethering of a dog while at an organized and lawful
9 animal function such as hunting, obedience training, field
10 and water training, performance and conformation events,
11 or law enforcement training, or while in the pursuit of
12 working or competing in those endeavors.

13 (e) A person convicted of violating this Section is guilty
14 of a Class B misdemeanor. A second or subsequent violation is a
15 Class 4 felony with every day that a violation continues
16 constituting a separate offense. If the convicted person is a
17 juvenile or a companion animal hoarder, the court must order
18 the convicted person to undergo a psychological or psychiatric
19 evaluation and to undergo treatment that the court determines
20 to be appropriate after due consideration of the evaluation."