



Sen. James F. Clayborne, Jr.

**Filed: 3/15/2013**

09800SB2362sam001

LRB098 10746 CEL 42443 a

1 AMENDMENT TO SENATE BILL 2362

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2362 by replacing  
3 everything after the enacting clause with the following:

4 "ARTICLE 1. GENERAL PROVISIONS

5 Section 1-1. Short title. This Act may be cited as the  
6 Herptiles-Herps Act of 2013.

7 Section 1-5. Purpose. For purposes of this Act, reptiles  
8 and amphibians shall be exempt from the definition of "aquatic  
9 life" under Section 1-20 of the Fish and Aquatic Life Code. All  
10 rules and enforcement actions under the Illinois Conservation  
11 Law and the dangerous animals provisions in Section 48-10 of  
12 the Criminal Code of 2012 related to reptiles and amphibians  
13 shall be covered exclusively by this Act.

14 Section 1-10. Administrative agency. This Act shall be

1 administered and under the direction of the Department of  
2 Natural Resources.

3 Section 1-15. Home rule. A municipality or county may adopt  
4 an ordinance governing amphibian and reptile species that is  
5 more restrictive than this Act.

6 Section 1-20. Definitions. For the purposes of this Act,  
7 unless the context clearly requires otherwise the following  
8 terms are defined as:

9 "Administrative rule" means a regulatory measure issued by  
10 the Director under this Act.

11 "Authorized law enforcement officer" means all sworn  
12 members of the Law Enforcement Division of the Department and  
13 those persons specifically granted law enforcement  
14 authorization by the Director.

15 "Culling" means rejecting or discarding.

16 "Department" means the Illinois Department of Natural  
17 Resources.

18 "Director" means the Director of the Illinois Department of  
19 Natural Resources.

20 "Educational program" means a program of organized  
21 instruction or study for providing education, intended to meet  
22 a public need.

23 "Endangered or threatened species" means any species  
24 listed as endangered or threatened to the species level on

1 either the Illinois List of Endangered and Threatened Fauna or  
2 the federal U.S. Fish and Wildlife Service List of Threatened  
3 and Endangered Species.

4 "Herptile" means collectively any amphibian or reptile  
5 taxa, whether indigenous to this State or not.

6 "Indigenous or native taxa" means those amphibians and  
7 reptiles to the subspecies level that can be found naturally in  
8 this State.

9 "Medically significant" means a venomous or poisonous  
10 species whose venom or toxin can cause death or serious illness  
11 or injury in humans that may require emergency room care or the  
12 immediate care of a physician. These species are usually  
13 categorized as being "medically significant" or "medically  
14 important".

15 "Owner" means an individual who has a legal right to the  
16 possession of a herptile.

17 "Person" means any individual, partnership, corporation,  
18 organization, trade or professional association, firm, limited  
19 liability company, joint venture, or group.

20 "Possessor" means any person who possesses, keeps,  
21 harbors, brings into the State, cares for, acts as a custodian  
22 for, has in his or her custody or control, or holds a property  
23 right to a herptile.

24 "Reptile show" means any event open to the public, for a  
25 fee or without a fee, that is not a licensed pet store, where  
26 herptiles or herptiles together with other animals are

1 exhibited, displayed, sold, bought, traded, or otherwise made  
2 available for public display.

3 "Special use herptile" means any taxa of amphibian or  
4 reptile for which a Herptile Special Use permit is required.

5 "Turtle farming" means the act of breeding, hatching,  
6 raising, selling turtles, or any combination commercially for  
7 the purpose of providing turtles, turtle eggs, or turtle parts  
8 to pet suppliers, exporters, and food industries.

9 "Wildlife sanctuary" means any non-profit organization  
10 that: (1) is exempt from taxation under the federal Internal  
11 Revenue Code and is currently confirmed as tax exempt by the  
12 federal Internal Revenue Service; (2) operates a place of  
13 refuge where wild animals are provided care for their lifetime  
14 or released back to their natural range; (3) does not conduct  
15 activities on animals in its possession that are not inherent  
16 to the animal's nature; (4) does not use animals in its  
17 possession for entertainment; (5) does not sell, trade, or  
18 barter animals in its possession or parts of those animals; and  
19 (6) does not breed animals in its possession.

20 Section 1-25. Financial value of herptiles.

21 (a) For purposes of this Section, the financial value of  
22 all reptiles and amphibians described under this Act taken in  
23 violation of the Illinois Conservation Law, whether dressed or  
24 not dressed, is as follows:

25 (1) for processed turtle parts, \$8 for each pound or

1 fraction of a pound; for each non-processed turtle, \$15 per  
2 whole turtle;

3 (2) for frogs, toads, salamanders, lizards, and  
4 snakes, \$5 per herptile in whole or in part; and

5 (3) any person who, for profit or commercial purposes,  
6 knowingly captures or kills, possesses, offers for sale,  
7 sells, offers to barter, barterers, offers to purchase,  
8 purchases, delivers for shipment, ships, exports, imports,  
9 causes to be shipped, exported, or imported, delivers for  
10 transportation, transports, or causes to be transported,  
11 carriers or causes to be carried, or receives for shipment,  
12 transportation, carriage, or export any reptile or  
13 amphibian life, in part or in whole of any of the reptiles  
14 and amphibians protected by this Act, and that reptile or  
15 amphibian life, in whole or in part, is valued in excess of  
16 a total of \$300, as per value specified in subparagraphs  
17 (1) and (2) of this Section commits a Class 3 felony.

18 (b) The trier of fact may infer that a person "knowingly  
19 possesses" a reptile or amphibian, in whole or in part,  
20 captured or killed in violation of this Act, valued in excess  
21 of \$600, as per value specified in subparagraphs (1) and (2) of  
22 subsection (a) of this Section.

23 ARTICLE 5. INDIGENOUS OR  
24 NATIVE HERPTILE TAXA

1 Section 5-5. Possession limits.

2 (a) The possession limit for indigenous amphibian and  
3 reptile taxa (excluding common snapping turtles and bullfrogs)  
4 is 8 total collectively with no more than 4 per taxa. Captive  
5 born offspring of a legally held reptile or amphibian, not  
6 intended for commercial purposes, is exempt from the possession  
7 limits for a period of 30 days. Young of gravid wild-collected  
8 amphibians and reptiles shall be released at site of adult  
9 capture after birth.

10 (b) Only residents may possess herptiles collected from the  
11 wild within this State under a valid sport fishing license;  
12 non-residents may not possess herptiles collected from the wild  
13 within this State except for scientific purposes, with a  
14 Herptile Scientific Collection permit.

15 (c) All herptile species (other than bullfrogs and common  
16 snapping turtles) may be captured by hand. This shall not  
17 restrict the use of legally taken herptiles as bait by anglers.  
18 Any captured herptiles that are not to be retained in the  
19 possession of the captor shall be immediately released at the  
20 site of capture, unless taken with a lethal method such as bow  
21 and arrow, gig, spear, or pitchfork which does not permit  
22 release without harm. All common snapping turtles and bullfrogs  
23 taken for personal consumption must be kept and counted in the  
24 daily catch creel or bag. No culling of these 2 species for  
25 personal consumption is permitted.

26 (d) The trier of fact may infer that a person is collecting

1 from the wild within this State if he or she possesses  
2 indigenous reptiles or amphibians, in whole or in part, if no  
3 documentation exists stating that the animals were legally  
4 collected from the wild outside of this State.

5 (e) Residents may possess a total of 8 native herp  
6 specimens collectively, with no more than 4 per taxa, without  
7 obtaining and possessing either a Herptile Scientific  
8 Collection permit or Herpetoculture permit from the  
9 Department, regardless of the origin of the species. A sport  
10 fishing license is required for residents to legally collect  
11 any native herp taxa on private land, with the landowner's  
12 permission. Collecting herptiles on public lands shall require  
13 additional permits.

14 (f) Any resident wishing to possess more than his or her  
15 allowed possession limit, shall first apply to the Department  
16 for a Herptile Scientific Collection permit or Herpetoculture  
17 permit to do so. Issuance, modification, or denial of any and  
18 all of these permits shall be at the sole discretion of the  
19 Department.

20 (g) Due to the similarity of appearance (S/A) of certain  
21 intergrade or hybrid specimens, the Department retains the  
22 authority to enforce any and all provisions under this Act.  
23 Specimens determined by the Department, or its agents, to fit  
24 into this S/A category shall receive all benefits of this Act,  
25 as well as the Illinois Endangered Species Protection Act if  
26 applicable, and shall be included in an individual's overall

1 possession limit.

2 Section 5-10. Commercialization; herpetoculture.

3 (a) It is unlawful to take, possess, buy, sell, offer to  
4 buy or sell or barter any reptile, amphibian, or their eggs,  
5 any resulting offspring, or parts taken from the wild in this  
6 State for commercial purposes unless otherwise authorized by  
7 law.

8 (b) The trier of fact may infer that a person is collecting  
9 from the wild within this State for commercial purposes if he  
10 or she possesses indigenous reptiles or amphibians, in whole or  
11 in part, for which no documentation exists stating that the  
12 animals were legally collected from the wild outside this  
13 State.

14 (c) Due to the similarity of appearance (S/A) of certain  
15 intergrade or hybrid specimens, the Department retains the  
16 authority to enforce any and all provisions under this Act.  
17 Specimens determined by the Department, or its agents, to fit  
18 into this S/A category shall receive all benefits of this Act,  
19 as well as the Illinois Endangered Species Protection Act if  
20 applicable, and shall be included in an individual's overall  
21 possession limit.

22 (d) A valid, Department issued Herpetoculture permit shall  
23 apply only to indigenous herp taxa. A Herpetoculture permit  
24 shall not be required in order to commercialize non-indigenous  
25 herp taxa except as required under Section 5-20 of this Act.

1           Section 5-15. Protection of habitat. Habitat features that  
2 are disturbed in the course of searching for reptiles and  
3 amphibians shall be returned to as near its original position  
4 and condition as possible, for example overturned stones and  
5 logs shall be restored to their original locations.

6           Section 5-20. Taking of endangered or threatened species.

7           (a) No person shall take or possess any of the herptiles  
8 listed in the Illinois Endangered Species Protection Act or  
9 subsequent administrative rules, except as provided by that  
10 Act.

11           (b) Any Department permitted threatened or endangered  
12 (T/E) herptile species shall be exempt from an individual's  
13 overall possession under the permitting system set forth in  
14 this Act. However, any and all T/E specimens shall be  
15 officially recorded with the Department's Endangered Species  
16 Conservation Program. Any species occurring on the federal T/E  
17 list also requires a Department permit for possession,  
18 propagation, sale, or offer for sale unless otherwise permitted  
19 through the Department.

20           (c) Due to the similarity of appearance (S/A) of certain  
21 intergrade or hybrid specimens, the Department retains the  
22 authority to enforce any and all provisions under this Act.  
23 Specimens determined by the Department, or agents, to fit into  
24 this S/A category shall receive all benefits of this Act, as

1 well as the Illinois Endangered Species Protection Act if  
2 applicable, and shall be included in an individual's overall  
3 possession limit.

4 (d) Federally licensed exhibits shall not be exempt from  
5 the Illinois Endangered Species Protection Act.

6 (e) Any changes in T/E permit numbers for herptiles by  
7 current, existing permit holders shall be reported to the  
8 Department in writing no later than the first business day  
9 after that change occurred. Requests for permits by any  
10 resident acquiring a T/E species who is not permitted shall not  
11 be issued after-the-fact.

12 (f) Annual reports are due by January 31 of each year for  
13 the preceding year's activities. Failure to submit the annual  
14 report by the due date shall result in a permit violation.

15 (g) An annual fee for herptile T/E species permits, per  
16 permittee, shall be set by administrative rule.

17 Section 5-25. Taking of snakes. Unless otherwise provided  
18 in this Act, any non-threatened or non-endangered snake may be  
19 taken by the owners or bonafide tenants of lands actually  
20 residing on the lands and their children, parents, brothers,  
21 and sisters permanently residing with them.

22 Section 5-30. Taking of turtles or bullfrogs; illegal  
23 devices.

24 (a) No person shall take turtles or bullfrogs by commercial

1 fishing devices, including dip nets, hoop nets, traps, or  
2 seines, or by the use of firearms, airguns, or gas guns.  
3 Turtles may be taken only by hand or means of hook and line.

4 (b) Bullfrog; common snapping turtle; open season.

5 (1) All individuals taking bullfrogs shall possess a  
6 valid sport fishing license and may take bullfrogs only  
7 during the open season of June 15 through August 31, both  
8 dates inclusive. Bullfrogs may only be taken by hook and  
9 line, gig, pitchfork, spear, bow and arrow, hand, or  
10 landing net.

11 (2) The daily catch limit for all properly licensed  
12 persons is 12 bullfrogs. The possession limit total is 24  
13 bullfrogs.

14 (3) All persons taking common snapping turtles shall  
15 possess a valid sport fishing license and may take common  
16 snapping turtles only during the open season of June 15  
17 through August 31, both dates inclusive. Common snapping  
18 turtles (*Chelydra serpentina*) may be taken only by hand,  
19 hook and line, or bow and arrow, except in the counties  
20 listed in Section 5-35 where bowfishing for common snapping  
21 turtles is not allowed.

22 (4) The daily catch limit for all properly licensed  
23 persons is 2 common snapping turtles. The possession limit  
24 total is 4 common snapping turtles.

25 (c) The alligator snapping turtle (*Macrochelys temminckii*)  
26 is protected and may not be taken by any method including, but

1 not limited to, any sport fishing method.

2 Section 5-35. Areas closed to the taking of reptiles and  
3 amphibians. Unless otherwise allowed by law or administrative  
4 rule, the taking of reptiles and amphibians at any time and by  
5 any method is prohibited in the following areas:

6 The LaRue-Pine Hills or Otter Pond Research Natural Area in  
7 Union County. The closed area shall include the Research  
8 Natural Area as designated by the U.S. Forest Service and  
9 the right-of-way of Forest Road 345 with Forest Road 236 to  
10 the intersection of Forest Road 345 with the Missouri  
11 Pacific railroad tracks.

12 In the following counties bowfishing for common snapping  
13 turtles is not permitted: Randolph, Perry, Franklin, Hamilton,  
14 White, Gallatin, Saline, Williamson, Jackson, Union, Johnson,  
15 Pope, Hardin, Massac, Pulaski, and Alexander, or in any  
16 additional counties added through administrative rule.

17 Section 5-40. Additional protective regulations.

18 (a) Except as otherwise allowed by law or administrative  
19 rule, taking of the following species of reptiles and  
20 amphibians is prohibited:

21 Copperbelly water snake (*Nerodia erythrogaster neglecta*)  
22 in Clay, Edwards, Gallatin, Hamilton, Hardin, Johnson,  
23 Lawrence, Massac, Pope, Pulaski, Richland, Rock Island,  
24 Saline, Wabash, Wayne, and White counties.

1 (b) Under this Act, the copperbelly water snake shall be  
2 treated as a listed threatened or endangered species within  
3 this State. The copperbelly water snakes shall receive all  
4 protection benefits and incidental take regulations as  
5 described under the Illinois Endangered Species Protection  
6 Act.

7 (c) Because the range of the 2 species of *Nerodia*  
8 *erythrogaster* overlap in southern Illinois, and the meristic  
9 characters that separate these 2 subspecies is often  
10 problematic, the Department retains the authority to classify  
11 water snake specimens as similar in appearance (S/A) to the  
12 subspecies: *neglecta*. Specimens determined by the Department,  
13 or its agents, to fit into this *neglecta* S/A category shall  
14 receive all benefits of this Act, as well as the Illinois  
15 Endangered Species Protection Act.

16 Section 5-45. Translocation and release of herptiles.

17 (a) No herptile indigenous species may be moved,  
18 translocated, or populations repatriated within this State  
19 without approval of the Department, after review of a proposal  
20 complete with long-term monitoring plan at least 5 years  
21 post-release.

22 (b) It shall be unlawful to intentionally or negligently  
23 release any non-indigenous herptile species into this State.

1           Section 10-5. Venomous reptile defined. Venomous reptiles  
2 include, but are not limited to, any medically significant  
3 venomous species of the families or genera of the Order  
4 Squamata: Helodermatidae, such as gila monsters and beaded  
5 lizards; Elapidae, such as cobras and coral snakes;  
6 Hydrophiidae, such as sea snakes; Viperidae and Crotalinae,  
7 such as vipers and pit vipers; Atractaspididae, such as  
8 burrowing asps; specified Colubridae addressed by  
9 administrative rule, in the following genera: West Indian  
10 racers (Alsophis); boigas and mangrove snakes (Boiga); road  
11 guarders (Conophis); Boomsnangs (Dispholidus); false water  
12 cobras (Hydrodynastes); varied or hooded keelbacks  
13 (Macropisthodon); Malagasy cat-eyed snakes (Madagascarophis);  
14 Montpellier snakes (Malpolon); kukri snakes (Oligodon);  
15 collared snakes (Phalotris); palm snakes or green racers  
16 (Philodryas); sand snakes or racers (Psammophis); keelbacks  
17 (Rhabdophis); Lichtenstein's green racer (Philodryas  
18 olfersii); beaked snakes (Rhamphiophis); twig snakes  
19 (Thelotornis); black tree snakes (Thrasops); Pampas snakes  
20 (Tomodon); Wagler's snakes (Waglerophis); false fer-de-lances  
21 (Xenodon); specimens or eggs of the brown tree snake (Boiga  
22 irregularis); and any other species added through legislative  
23 process designated.

24           Section 10-10. Surgically altered venomous reptiles. It is

1 not a defense to a violation of Article 65 that the person  
2 violating that Article has had the venomous reptile surgically  
3 altered to render it harmless.

4 Section 10-15. Venomous reptile permit requirements. In  
5 addition to those requirements listed in Articles 60 and 65 of  
6 this Act, Herptile Special Use permits may be issued to  
7 residents using approved venomous reptile species only for  
8 bonafide educational programs, following an inspection and  
9 approval of the proposed facilities. A minimum of 6 documented  
10 programs shall be required of each permittee per calendar year.  
11 Unless addressed or exempted by administrative rule, annual  
12 permit renewal must be accompanied by a non-refundable fee as  
13 set by the Department by administrative rule and documented  
14 proof of educational programs completed on the recipient's  
15 letterhead. Prospective permittees must have 250 documented  
16 hours of experience with venomous reptiles. The Department or  
17 the Department of Agriculture reserves the right to inspect  
18 permittees and facilities during reasonable hours. Additions  
19 to permits must be approved prior to acquisition of additional  
20 venomous reptiles, and any changes shall be reported to the  
21 Department in writing no later than the first business day  
22 after that change occurred.

23 Section 10-20. Approved venomous reptiles. Permittees may  
24 keep legally obtained venomous reptile specimens native to the

1 United States, except the following species: Eastern  
2 diamondback rattlesnakes (*Crotalus adamanteus*); Western  
3 diamondback rattlesnakes (*Crotalus atrox*); Mojave rattlesnakes  
4 (*Crotalus scutulatus*); Southern Pacific rattlesnakes (*Crotalus*  
5 *oreganus helleri*); Eastern and Texas coral snakes (*Micrurus*  
6 *fulvius*); Sonoran coral snakes (*Micruroides euryxanthus*); and  
7 timber/canebrake rattlesnakes (*Crotalus horridus*) specifically  
8 from Georgia, known as "Type A".

9 Except for Boomslangs (*Dispholidus*), twig snakes  
10 (*Thelotornis*), keelbacks (*Rhabdophis*), Lichtenstein's green  
11 racer (*Philodryas olfersii*), brown tree snake (*Boiga*  
12 *irregularis*), and medically significant snakes in the family  
13 Colubridae defined in Section 10-5 of this Article may be  
14 possessed by permit.

15 Section 10-25. Maintenance of venomous reptiles.  
16 Permittees shall keep approved venomous reptiles in strong  
17 escape-proof enclosures that at a minimum are: impact  
18 resistant, locked at all times, prominently labeled with the  
19 permittee's full name, address, telephone number, list of cage  
20 contents by scientific and common names, and a sign labeled  
21 "venomous". The signage shall also include the type and  
22 location of antivenom and contact information of the person or  
23 organization possessing the antivenom.

24 Section 10-30. Educational programs with approved venomous

1 reptiles. Permittees shall keep approved venomous reptiles in  
2 strong escape-proof enclosures that at a minimum are: impact  
3 resistant, locked at all times, prominently labeled with the  
4 permittee's full name, address, telephone number, list of cage  
5 contents by scientific and common names, and a sign labeled  
6 "venomous". Labeling shall also include the type and location  
7 of antivenom and contact information of the person or  
8 organization possessing the antivenom. Interiors of enclosures  
9 may not be accessible to the public.

10 Section 10-35. Transport of approved venomous reptiles.  
11 During transport of any approved venomous reptile, it must be  
12 kept out of sight of the public in an escape-proof enclosure at  
13 all times that is labeled "venomous". Transport of any venomous  
14 reptile to any public venue, commercial establishment, retail  
15 establishment, or educational institution shall only be for  
16 bonafide educational programs or veterinary care.

17 Section 10-40. Additional regulations. Venomous reptiles  
18 shall not be bred, sold, or offered for sale within this State.  
19 The Department may approve limited transfers among existing  
20 permittees at the sole discretion of the Department.

21 As determined by the Department, non-residents may apply  
22 for a permit not to exceed 15 consecutive days to use venomous  
23 reptiles in bonafide educational programs. The fee for the  
24 permit shall be set by administrative rule, and all fees shall

1 be deposited into the Fish and Wildlife Fund.

2 ARTICLE 15. BOAS,  
3 PYTHONS, AND ANACONDAS

4 Section 15-5. Boas, pythons, and anacondas. Nothing shall  
5 prohibit lawfully acquired possession of any of the Boidae  
6 family, such as boas, pythons, and anacondas, provided captive  
7 maintenance requirements from the Department as set forth in  
8 this Act are met. All boas, pythons, and anacondas referenced  
9 in this Act are exempt from the permit process, associated  
10 annual fee, and liability insurance coverage.

11 Section 15-10. Maintenance of boas, pythons, and  
12 anacondas. Any species of boa, python, or anaconda, regardless  
13 of length, must be properly maintained in suitable, strong,  
14 impact resistant, escape-proof enclosures at all times unless  
15 being used for bonafide educational programs or trips for  
16 veterinary care.

17 Section 15-15. Educational programs with boas, pythons,  
18 and anacondas. During any bonafide educational program  
19 involving boas, pythons, or anacondas, the owner or affiliated  
20 agent must maintain physical possession of the snake at all  
21 times if removed from a container or cage. Interiors of cages  
22 or containers used during educational programs may not be

1 accessible to the public.

2 Section 15-20. Transport of boas, pythons, and anacondas.  
3 During transport of any boa, python, or anaconda, the snake  
4 must be kept out of sight of the public in an escape-proof  
5 enclosure at all times.

6 Section 15-25. Use of boas, pythons, and anacondas at  
7 reptile shows. An owner or affiliated agent must have physical  
8 possession and control of any boa, python, or anaconda at all  
9 times if removed from a container or cage. Uncontained boas,  
10 pythons, or anacondas removed from cages for examination or  
11 onlooker interaction must be kept confined either behind or at  
12 a display table. Interiors of cages or containers may not be  
13 accessible to the public.

14 ARTICLE 20. CROCODILIANS

15 Section 20-5. "Crocodilians" means any species of the Order  
16 Crocrodilia, such as crocodiles, alligators, caimans, and  
17 gavials.

18 Section 20-10. Crocodilian permit requirements. In  
19 addition to the requirements listed in Articles 60 and 65 of  
20 this Act, Herptile Special Use permits may be issued to  
21 residents using crocodilian species only for bonafide

1 educational programs, following an inspection and approval of  
2 the proposed facilities. A minimum of 6 documented programs  
3 shall be required of each permittee per calendar year. Unless  
4 addressed or exempted by administrative rule, annual permit  
5 renewal must be accompanied by a non-refundable fee as set by  
6 the Department and documented proof of educational programs  
7 completed on the recipient's letterhead. The Department or the  
8 Department of Agriculture reserves the right to inspect of  
9 permittees and facilities during reasonable hours. Additions  
10 to permits must be approved prior to acquisition of additional  
11 crocodilians, and any changes shall be reported to the  
12 Department in writing no later than the first business day  
13 after that change occurred.

14 Section 20-15. Maintenance of crocodilians. Permittees  
15 shall keep crocodilians maintained in suitable, strong, impact  
16 resistant, escape-proof enclosures at all times unless being  
17 used for bonafide educational programs or trips for veterinary  
18 care.

19 Section 20-20. Educational programs with crocodilians.  
20 During any bonafide educational program involving  
21 crocodilians, the owner or affiliated agent must maintain  
22 physical possession and control of the crocodilian at all times  
23 if removed from a container or cage. Interiors of cages or  
24 containers used during educational programs may not be

1 accessible to the public. Crocodilians removed from their cage  
2 or enclosure for educational programs must have either the  
3 mouth banded or taped shut or kept at a minimum of 10 feet from  
4 the public and also kept out of direct contact with the public.

5 Section 20-25. Transport of crocodilians. During transport  
6 of any crocodilian, it must be kept out of sight of the public  
7 in an escape-proof enclosure at all times. Transport of any  
8 crocodilian to any public venue, commercial establishment,  
9 retail establishment, or educational institution shall only be  
10 for bonafide educational programs or veterinary care.

11 Section 20-30. Additional regulations. Crocodilians shall  
12 not be bred, sold, or offered for sale within this State.

13 As determined by the Department, non-residents may apply  
14 for a permit not to exceed 15 consecutive days to use  
15 crocodilians in bonafide educational programs. The fee for this  
16 permit shall be set by administrative rule, and all fees shall  
17 be deposited into the Fish and Wildlife Fund.

18 ARTICLE 25. MONITOR LIZARDS

19 Section 25-5. "Monitor lizards" means the following  
20 members of the Varanidae family, specifically crocodile  
21 monitors as well as Komodo dragons.

1           Section 25-10. Monitor lizard permit requirements. In  
2 addition to those requirements listed in Articles 60 and 65 of  
3 this Act, Herptile Special Use permits may be issued to  
4 residents using monitor lizard species only for bonafide  
5 educational programs, following an inspection and approval of  
6 the proposed facilities. A minimum of 6 documented programs  
7 shall be required of each permittee per calendar year. Unless  
8 addressed or exempted by administrative rule, annual permit  
9 renewal must be accompanied by a non-refundable fee as set by  
10 the Department and documented proof of educational programs  
11 completed on the recipient's letterhead. The Department or the  
12 Department of Agriculture reserves the right to inspect of  
13 permittees and facilities during reasonable hours. Additions  
14 to permits must be approved prior to acquisition of additional  
15 monitor lizards, and any changes shall be reported to the  
16 Department in writing no later than the first business day  
17 after that change occurred.

18           Section 25-15. Maintenance of monitor lizards. Permittees  
19 shall keep monitor lizards maintained in suitable, strong,  
20 impact resistant, escape-proof enclosures at all times unless  
21 being used for bonafide educational programs or trips for  
22 veterinary care.

23           Section 25-20. Educational programs with monitor lizards.  
24 During any bonafide educational program involving monitor

1 lizards, the owner or affiliated agent must maintain physical  
2 possession and control of the monitor lizard at all times if  
3 removed from a container or cage. Interiors of cages or  
4 containers used during educational programs may not be  
5 accessible to the public. Monitor lizards removed from their  
6 cage or enclosure for educational programs must have either the  
7 mouth banded or taped shut, or kept at a minimum of 10 feet  
8 from the public and also kept out of direct contact with the  
9 public.

10 Section 25-25. Transport of monitor lizards. During  
11 transport of any monitor lizard, it must be kept out of sight  
12 of the public in an escape-proof enclosure at all times.  
13 Transport of a monitor lizard to any public venue, commercial  
14 establishment, retail establishment, or educational  
15 institution shall only be for bonafide educational programs or  
16 veterinary care.

17 Section 25-30. Additional regulations. Monitor lizards  
18 shall not be bred, sold, or offered for sale within this State.

19 As determined by the Department, non-residents may apply  
20 for a permit not to exceed 15 consecutive days to use monitor  
21 lizards in bonafide educational programs. The fee for the  
22 permit shall be set by administrative rule, and all fees shall  
23 be deposited into the Fish and Wildlife Fund.

## 1 ARTICLE 30. TURTLES

2 Section 30-5. Turtles. It is unlawful to buy, sell, or  
3 offer to sell any species of aquatic or semi-aquatic turtles in  
4 the Order Testudines (except for the terrestrial tortoises in  
5 the family Testudinidae) with a carapace length of 4 inches or  
6 less or their eggs within this State.

7 Section 30-10. Turtle farming. Turtles shall not be  
8 commercially farmed in this State.

## 9 ARTICLE 35. AMPHIBIANS

10 Section 35-5. "Amphibians" means those medically  
11 significant poisonous amphibians capable of causing bodily  
12 harm to humans or animals, including, but not limited to, cane  
13 or marine toads (*Bufo marinus*) and Colorado river toads (*Bufo*  
14 *alvarius*), or any other amphibian found to be medically  
15 significant and shall only be allowed for bonafide educational  
16 purposes or research purposes by exempted institutions.

17 Poison dart frogs bred and raised in captivity shall be  
18 exempt from the permit process.

## 19 ARTICLE 40. HERPTILE SCIENTIFIC

## 20 COLLECTION PERMITS

1           Section 40-5. Permit issuance. Herptile Scientific  
2 Collection permits may be granted by the Department, in its  
3 sole discretion, to any properly accredited person at least 18  
4 years of age, permitting the capture, marking, handling,  
5 banding, or collecting (including hide, skin, bones, teeth,  
6 claws, nests, eggs, or young), for strictly scientific  
7 purposes, of any of the herptiles not listed as endangered or  
8 threatened but now protected under this Act. A Herptile  
9 Scientific Collection permit may be granted to qualified  
10 individuals for purpose of salvaging dead, sick, or injured  
11 herptiles not listed as endangered or threatened but protected  
12 by this Act for permanent donation to bonafide public or state  
13 scientific, educational, or zoological institutions.  
14 Collecting herptiles on public lands shall require additional  
15 permits.

16           Section 40-10. Permit requirements. The criteria and  
17 standards for a Herptile Scientific Collection permit shall be  
18 provided by administrative rule. The Department shall set forth  
19 applicable rules covering qualifications and facilities needed  
20 to obtain a permit. Disposition of herptiles taken under the  
21 authority of this Article shall be specified by the Department.  
22 The holder of each permit shall make to the Department a report  
23 in writing upon forms furnished by the Department. These  
24 reports shall be made (i) annually if the permit is granted for  
25 a period of one year or (ii) within 30 days after the

1 expiration of the permit if the permit is granted for a period  
2 of less than one year. These reports shall include information  
3 that the Department considers necessary.

4 ARTICLE 45. HERPTILE SCIENTIFIC

5 COLLECTION PERMIT APPLICATION AND FEES

6 Section 40-5. Permit application and fees. An applicant for  
7 a Herptile Scientific Collection permit must file an  
8 application with the Department on a form provided by the  
9 Department. The application must include all information and  
10 requirements as set by administrative rule. The application for  
11 these permits shall be reviewed by the Department to determine  
12 if a permit should be issued.

13 Unless addressed or exempted by administrative rule,  
14 annual permit renewal must be accompanied by non-refundable fee  
15 as set by the Department. The annual fee for a Herptile  
16 Scientific Collection permit shall be set by administrative  
17 rule. The Department shall adopt, by administrative rule, any  
18 additional procedures for the renewal of a Herptile Scientific  
19 Collection permit. All fees shall be deposited into the Fish  
20 and Wildlife Fund.

21 ARTICLE 50. HERPETOCULTURE PERMITS

22 Section 50-5. Permit issuance. Any person or business who

1 engages in the breeding, hatching, propagation, sale, or offer  
2 for sale of any indigenous herptile, regardless of origin,  
3 shall procure a permit from the Department. Herptiles  
4 specified, which are bred, hatched, propagated, or legally  
5 obtained by a person or business holding a permit as provided  
6 for in this Article, may be transported and sold or offered for  
7 sale within this State.

8 Section 50-10. Permit requirements. Herpetoculture permit  
9 holders shall maintain written records of all herptiles  
10 indigenous to this State bought, sold, hatched, propagated,  
11 sold, or shipped for a minimum of 2 years after the date of the  
12 transaction and shall be made immediately available to  
13 authorized employees of the Department upon request. These  
14 records shall include the name and address of the buyer and  
15 seller, the appropriate permit number of the buyer and seller,  
16 the date of the transaction, the species name (both common and  
17 scientific), and the origin of herptile involved. Records of  
18 the annual operations, as may be required by the Department,  
19 shall be forwarded to the Department upon request.

20 The criteria and standards for a Herpetoculture permit  
21 shall be provided by administrative rule. The Department shall  
22 set forth applicable rules, including a list of herptiles  
23 indigenous to this State.

## 1 PERMITS APPLICATION AND FEES

2 Section 55-5. Permit application and fees. An applicant  
3 for a Herpetoculture permit must file an application with the  
4 Department on a form provided by the Department. The  
5 application must include all information and requirements as  
6 set forth by administrative rule. The application for these  
7 permits shall be reviewed by the Department to determine if a  
8 permit should be issued.

9 Unless addressed or exempted by administrative rule,  
10 annual permit renewal must be accompanied by a non-refundable  
11 fee as set by the Department. The annual fee for a residential  
12 Herpetoculture permit shall be set by administrative rule. The  
13 Department shall adopt, by administrative rule, any additional  
14 procedures for the renewal of a Herpetoculture permit. All fees  
15 shall be deposited into the Fish and Wildlife Fund.

16 As determined by the Department, non-residents may apply  
17 for a permit not to exceed 15 consecutive days to commercialize  
18 herptiles indigenous to this State as outlined in this Article.  
19 The fee for the permit shall be set by administrative rule, and  
20 all fees shall be deposited into the Fish and Wildlife Fund.

21 The Department shall adopt, by administrative rule,  
22 additional procedures for the renewal of annual Herpetoculture  
23 permits.

24 Section 55-10. Additional regulations. Nothing in

1 Articles 50 and 55 shall be construed to give permittees  
2 authority to breed, hatch, propagate, sell, offer for sale, or  
3 otherwise commercialize any herptile or parts thereof from  
4 herptiles indigenous to this State, either partially or in  
5 whole, that originate from the wild in this State.

6 Any offspring resulting from the breeding of herptiles  
7 where one parent has been taken from the wild in this State and  
8 the other parent from non-Illinois stock or captive bred stock,  
9 may not be legally sold or otherwise commercialized and shall  
10 be treated as indigenous or native Illinois herp taxa subject  
11 to Article 5 of this Act.

12 Color or pattern variations (morphs) of any herptile  
13 indigenous to this State are not exempt from this Article.

14 Due to the similarity of appearance (S/A) of certain  
15 intergrade or hybrid specimens, the Department retains the  
16 authority to enforce any and all provisions under this Act.  
17 Specimens determined by the Department, or its agents, to fit  
18 into this S/A category shall receive all benefits of this Act,  
19 as well as the Illinois Endangered Species Protection Act if  
20 applicable.

21 ARTICLE 60. HERPTILE SPECIAL  
22 USE PERMIT REQUIREMENTS

23 Section 60-5. Permit requirements. Prior to any person  
24 obtaining a Herptile Special Use permit, the following criteria

1 must be met:

2 (1) the person was in legal possession and is the legal  
3 possessor of the herptile prior to the effective date of  
4 this Act and the person applies for and is granted a  
5 Personal Possession permit for each special use herptile in  
6 the person's possession within 30 days after the enactment  
7 of this Act; or

8 (2) prior to acquiring a Herptile Special Use permit,  
9 the person must provide the name, address, date of birth,  
10 permit number, telephone number of the possessor, type or  
11 species, and the date the herptile is to be acquired.

12 The applicant must comply with all requirements of this Act  
13 and the rules adopted by the Department to obtain a Herptile  
14 Special Use permit. Prior to the issuance of the Herptile  
15 Special Use permit, the applicant must provide proof of  
16 liability insurance or surety bond in the amount of \$100,000  
17 for each Herptile Special Use permit up to a maximum of  
18 \$1,000,000 and the insurance or surety bond is to be maintained  
19 during the term of the permit.

20 ARTICLE 65. HERPTILE SPECIAL USE

21 PERMIT APPLICATION AND FEES

22 Section 65-5. Permit application and fees. An applicant for  
23 a Herptile Special Use permit must file an application with the  
24 Department on a form provided by the Department. The

1 application must include all information and requirements as  
2 set forth by administrative rule.

3 The annual fee for a residential Herptile Special Use  
4 permit shall be set by administrative rule on a per person  
5 basis. The Herptile Special Use permit shall not be based on  
6 the number of special use herptile kept by an owner or  
7 possessor. All fees shall be deposited into the Fish and  
8 Wildlife Fund.

9 The Department shall adopt, by administrative rule,  
10 procedures for the renewal of annual Herptile Special Use  
11 permits.

12 Any person possessing and in legal possession of a special  
13 use herptile as stipulated in this Article, that no longer  
14 wishes to keep the herptile may be assisted by the Department  
15 at no charge to them and without prosecution, to place the  
16 special use herptile in a new home, within 30 days after the  
17 effective date of this Act.

18 The Department may issue a Limited Entry permit to an  
19 applicant who: (i) is not a resident of this State; (ii)  
20 complies with the requirements of this Act and all rules  
21 adopted by the Department under the authority of this Act;  
22 (iii) provides proof to the Department that he or she shall,  
23 during the permit term, maintain sufficient liability  
24 insurance coverage; (iv) pays to the Department along with each  
25 application for a Limited Entry permit a non-refundable fee as  
26 set by administrative rule, which the Department shall deposit

1 into the Fish and Wildlife Fund; and (v) uses the herptile for  
2 an activity authorized in the Limited Entry permit. A Limited  
3 Entry permit shall be valid for not more than 30 consecutive  
4 days unless extended by the Department, however, no extension  
5 shall be longer than 15 days.

6 ARTICLE 70. SUSPENSION OF  
7 PRIVILEGES AND REVOCATION OF  
8 HERPTILE SPECIAL USE PERMITS

9 Section 70-5. Suspension of privileges and revocation of  
10 permits. A person who does not hold a Herptile Special Use  
11 permit or Limited Entry permit and who violates a provision of  
12 this Act or an administrative rule authorized under this Act  
13 shall have his or her privileges under this Act suspended for  
14 up to 5 years after the date that he or she is in violation of  
15 an initial offense, for up to 10 years after the date that he  
16 or she is in violation of a second offense, and for life for a  
17 third or subsequent offense.

18 A person who holds a Herptile Special Use permit or Limited  
19 Entry permit and who violates the provisions of this Act shall  
20 have his or her permit revoked and permit privileges under this  
21 Act suspended for a period of up to 2 years after the date that  
22 he or she is found guilty of an initial offense, for up to 10  
23 years after the date that he or she is found guilty of a second  
24 offense, and for life for a third offense.



1           Section 80-5. Injury to a member of public by special use  
2 herptiles. A person who possesses a special use herptile  
3 without complying with the requirements of this Act and the  
4 rules adopted under the authority of this Act and whose special  
5 use herptile harms a person when the possessor knew or should  
6 have known that the herptile had a propensity, when provoked or  
7 unprovoked, to harm, cause injury to, or otherwise  
8 substantially endanger a member of the public is guilty of a  
9 Class A misdemeanor. A person who fails to comply with the  
10 provisions of this Act and the rules adopted under the  
11 authority of this Act and who intentionally or knowingly allow  
12 a special use herptile to cause great bodily harm to, or the  
13 death of, a human is guilty of a Class 4 felony.

14                           ARTICLE 85. PROHIBITED ACTS WITH  
15   SPECIAL USE HERPTILES

16           Section 85-5. Prohibited acts. Except as otherwise  
17 provided in this Act or by administrative rule, a person shall  
18 not own, possess, keep, import, transfer, harbor, bring into  
19 this State, breed, propagate, buy, sell, or offer to sell, or  
20 have in his or her custody or control a special use herptile.

21           A person shall not release any special use herptile into  
22 the wild at any time unless authorized by the Director in  
23 writing. The possessor of a special use herptile must

1 immediately contact the animal control authority or law  
2 enforcement agency of the municipality or county where the  
3 possessor resides if a special use herptile escapes or is  
4 released.

5 The possessor of a special use herptile shall not keep,  
6 harbor, care for, transport, act as the custodian of, or  
7 maintain in his or her possession the special use herptile in  
8 anything other than an escape-proof enclosure.

9 The possessor of a special use herptile shall not transport  
10 the special use herptile to or possess the special use herptile  
11 at a public venue, commercial establishment, retail  
12 establishment, or educational institution unless specifically  
13 authorized by permit or required to render veterinary care to  
14 the special use herptile.

15 The possessor of a special use herptile, at all reasonable  
16 times, shall not deny the Department or its designated agents  
17 and officers access to premises where the possessor keeps a  
18 special use herptile to ensure compliance with this Act.

19 Except as otherwise provided in this Act or by  
20 administrative rule, a person shall not buy, sell, or barter,  
21 or offer to buy, sell, or barter a special use herptile.

22 ARTICLE 90. PENALTIES

23 Section 90-5. Penalties. A person who violates Article 85  
24 of this Act is guilty of a Class A misdemeanor for a first

1 offense and a Class 4 felony for a second or subsequent offense  
2 occurring within one year after a finding of guilt on a first  
3 offense. A person who violates Article 75 of this Act is guilty  
4 of a Class B misdemeanor. Each day of a violation constitutes a  
5 separate offense. A person who violates Articles 5, 10, 15, 20,  
6 25, 30, 35, 40, 50, or 55 of this Act with a penalty not set  
7 forth is guilty of a Class A misdemeanor.

8 All fines and penalties collected under the authority of  
9 this Act or its administrative rules shall be deposited into  
10 the Fish and Wildlife Fund.

11 ARTICLE 95. CIVIL

12 LIABILITY AND IMMUNITY

13 Section 95-5. Assumption of risk. Each participant who  
14 owns, possesses, or keeps a herptile expressly assumes the risk  
15 of and legal responsibility for injury, loss, or damage to the  
16 person or the person's property that results from the  
17 ownership, possession, or keeping, of the herptile. Each owner,  
18 keeper, or possessor of a herptile shall be solely liable to  
19 manage, care for, and control a particular species, and it  
20 shall be the duty of each owner, keeper, or possessor, to  
21 maintain reasonable control of the particular herptile at all  
22 times, and to refrain from acting in a manner that may cause or  
23 contribute to the injury of person, whether in public or on  
24 private property.

1           Section 95-10. Civil liability and immunity. If any  
2 herptile escapes or is released, the owner and possessor of the  
3 herptile shall be strictly liable for all costs incurred in  
4 apprehending and confining the herptile; including any  
5 injuries incurred to humans or damage to property, both real  
6 and personal, including pets and livestock, and the owner shall  
7 indemnify any animal control officer, police officer, or  
8 Department employee acting in his or her official capacity to  
9 capture or control an escaped herptile.

10           The owner, keeper, or possessor of an escaped herptile  
11 shall be solely responsible for any and all liabilities arising  
12 out of or in connection with the escape or release of any  
13 herptile including liability for any damage, injury, or death  
14 caused by or to the herptile during or after the herptile's  
15 escape or release or as a result of the apprehension or  
16 confinement of the herptile after its escape or release. In  
17 addition, the owner, keeper, or possessor of an escaped  
18 herptile shall be solely responsible for any and all costs  
19 incurred by an animal control officer, police officer, or  
20 Department employee acting in his or her official capacity to  
21 capture or control an escaped herptile.

22           A licensed veterinarian who may have cause to treat a  
23 special use herptile that is in violation of this Act shall not  
24 be held liable under this Act provided that the veterinarian  
25 (i) promptly reports violations of this Act of which he or she

1 has knowledge to a law enforcement agency within 24 hours after  
2 becoming aware of the incident; (ii) provides the name,  
3 address, and phone number of the person possessing the special  
4 use herptile at time of incident or treatment; (iii) provides  
5 the name and address of the owner of the special use herptile  
6 if known; (iv) identifies the kind and number of special use  
7 herptiles being treated; and (v) describes the reason for the  
8 treatment of the special use herptile.

9 ARTICLE 100. SEIZURE AND FORFEITURE

10 Section 100-5. Seizure and forfeiture. If any person is  
11 found to possess a special use herptile that is in violation of  
12 this Act, including any administrative rules, then the special  
13 use herptile and any equipment or items used contrary to this  
14 Act shall be subject to seizure and forfeiture by the  
15 Department. Any special use herptile seized in violation of  
16 this Act may immediately be placed in a facility approved by  
17 the Department.

18 If a person's special use herptile has been seized by the  
19 Department, then the owner and possessor of the special use  
20 herptile is liable for the reasonable costs associated with the  
21 seizure, placement, testing, and care for the special use  
22 herptile from the time of confiscation until the time the  
23 special use herptile is relocated to an approved facility or  
24 person holding a valid Herptile Special Use permit or is

1 otherwise disposed of by the Department.

2 Any special use herptile and related items found abandoned  
3 shall become the property of the Department and disposed of  
4 according to Department rule.

5 The circuit court, in addition to any other penalty, may  
6 award any seized or confiscated special use herptiles or items  
7 to the Department as provided for in Section 1-215 of the Fish  
8 and Aquatic Life Code and Section 1.25 of the Wildlife Code.  
9 Further, the court, in addition to any other penalty, may  
10 assess a fee upon a person who pleads guilty to the provisions  
11 of this Act equal to the amount established or determined to  
12 maintain the special use herptile until it is permanently  
13 placed in a facility approved by the Department or otherwise  
14 disposed of.

15 ARTICLE 105. EXEMPTIONS

16 Section 105-5. Exemptions. When acting in their official  
17 capacity, the following entities and their agents are exempt  
18 from the requirements of this Act:

19 (1) public zoos or aquaria accredited by the  
20 Association of Zoos and Aquariums;

21 (2) licensed veterinarians or anyone operating under  
22 the authority of a licensed veterinarian;

23 (3) wildlife sanctuaries;

24 (4) accredited research or medical institutions;

1 (5) licensed or accredited educational institutions;

2 (6) circuses licensed and in compliance with the Animal  
3 Welfare Act and all rules adopted by the Department of  
4 Agriculture;

5 (7) federal, State, and local law enforcement  
6 officers, including animal control officers acting under  
7 the authority of this Act;

8 (8) members of federal, State, or local agencies  
9 approved by the Department;

10 (9) any bonafide wildlife rehabilitation facility  
11 licensed or otherwise authorized by the Department; and

12 (10) any motion picture or television production  
13 company that uses licensed dealers, exhibitors, and  
14 transporters under the federal Animal Welfare Act, 7 U.S.C.  
15 2132.

16 Section 110. The Criminal Code of 2012 is amended by  
17 changing Section 48-10 as follows:

18 (720 ILCS 5/48-10)

19 Sec. 48-10. Dangerous animals.

20 (a) Definitions. As used in this Section, unless the  
21 context otherwise requires:

22 "Dangerous animal" means a lion, tiger, leopard,  
23 ocelot, jaguar, cheetah, margay, mountain lion, lynx,  
24 bobcat, jaguarundi, bear, hyena, wolf or coyote, ~~or any~~

1 ~~poisonous or life-threatening reptile.~~ Dangerous animal  
2 does not mean any herptiles that are found in the  
3 Herptiles-Herps Act of 2013.

4 "Owner" means any person who (1) has a right of  
5 property in a dangerous animal or primate, (2) keeps or  
6 harbors a dangerous animal or primate, (3) has a dangerous  
7 animal or primate in his or her care, or (4) acts as  
8 custodian of a dangerous animal or primate.

9 "Person" means any individual, firm, association,  
10 partnership, corporation, or other legal entity, any  
11 public or private institution, the State, or any municipal  
12 corporation or political subdivision of the State.

13 "Primate" means a nonhuman member of the order primate,  
14 including but not limited to chimpanzee, gorilla,  
15 orangutan, bonobo, gibbon, monkey, lemur, loris, aye-aye,  
16 and tarsier.

17 (b) Dangerous animal or primate offense. No person shall  
18 have a right of property in, keep, harbor, care for, act as  
19 custodian of or maintain in his or her possession any dangerous  
20 animal or primate except at a properly maintained zoological  
21 park, federally licensed exhibit, circus, college or  
22 university, scientific institution, research laboratory,  
23 veterinary hospital, hound running area, or animal refuge in an  
24 escape-proof enclosure.

25 (c) Exemptions.

26 (1) This Section does not prohibit a person who had

1 lawful possession of a primate before January 1, 2011, from  
2 continuing to possess that primate if the person registers  
3 the animal by providing written notification to the local  
4 animal control administrator on or before April 1, 2011.

5 The notification shall include:

6 (A) the person's name, address, and telephone  
7 number; and

8 (B) the type of primate, the age, a photograph, a  
9 description of any tattoo, microchip, or other  
10 identifying information, and a list of current  
11 inoculations.

12 (2) This Section does not prohibit a person who is  
13 permanently disabled with a severe mobility impairment  
14 from possessing a single capuchin monkey to assist the  
15 person in performing daily tasks if:

16 (A) the capuchin monkey was obtained from and  
17 trained at a licensed nonprofit organization described  
18 in Section 501(c)(3) of the Internal Revenue Code of  
19 1986, the nonprofit tax status of which was obtained on  
20 the basis of a mission to improve the quality of life  
21 of severely mobility-impaired individuals; and

22 (B) the person complies with the notification  
23 requirements as described in paragraph (1) of this  
24 subsection (c).

25 (d) A person who registers a primate shall notify the local  
26 animal control administrator within 30 days of a change of

1 address. If the person moves to another locality within the  
2 State, the person shall register the primate with the new local  
3 animal control administrator within 30 days of moving by  
4 providing written notification as provided in paragraph (1) of  
5 subsection (c) and shall include proof of the prior  
6 registration.

7 (e) A person who registers a primate shall notify the local  
8 animal control administrator immediately if the primate dies,  
9 escapes, or bites, scratches, or injures a person.

10 (f) It is no defense to a violation of subsection (b) that  
11 the person violating subsection (b) has attempted to  
12 domesticate the dangerous animal. If there appears to be  
13 imminent danger to the public, any dangerous animal found not  
14 in compliance with the provisions of this Section shall be  
15 subject to seizure and may immediately be placed in an approved  
16 facility. Upon the conviction of a person for a violation of  
17 subsection (b), the animal with regard to which the conviction  
18 was obtained shall be confiscated and placed in an approved  
19 facility, with the owner responsible for all costs connected  
20 with the seizure and confiscation of the animal. Approved  
21 facilities include, but are not limited to, a zoological park,  
22 federally licensed exhibit, humane society, veterinary  
23 hospital or animal refuge.

24 (g) Sentence. Any person violating this Section is guilty  
25 of a Class C misdemeanor. Any corporation or partnership, any  
26 officer, director, manager or managerial agent of the

1 partnership or corporation who violates this Section or causes  
2 the partnership or corporation to violate this Section is  
3 guilty of a Class C misdemeanor. Each day of violation  
4 constitutes a separate offense.

5 (Source: P.A. 97-1108, eff. 1-1-13.)".