



Rep. William "Will" Davis

Filed: 3/17/2025

10400HB1556ham002

LRB104 08256 AAS 23708 a

1 AMENDMENT TO HOUSE BILL 1556

2 AMENDMENT NO. _____. Amend House Bill 1556 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Animal Welfare Act is amended by changing
5 Sections 2, 3.6, and 3.8 and by adding Section 3.10 as follows:

6 (225 ILCS 605/2) (from Ch. 8, par. 302)

7 Sec. 2. Definitions. As used in this Act unless the
8 context otherwise requires:

9 "Department" means the Illinois Department of Agriculture.

10 "Director" means the Director of the Illinois Department
11 of Agriculture.

12 "Pet shop operator" means any person who sells, offers to
13 sell, exchange, or offers for adoption with or without charge
14 or donation dogs, cats, birds, fish, reptiles, or other
15 animals customarily obtained as pets in this State at retail
16 to the public. However, a person who sells only such animals

1 that he has produced and raised shall not be considered a pet
2 shop operator under this Act, and a veterinary hospital or
3 clinic operated by a veterinarian or veterinarians licensed
4 under the Veterinary Medicine and Surgery Practice Act of 2004
5 shall not be considered a pet shop operator under this Act.

6 "Dog dealer" means any person who sells, offers to sell,
7 exchange, or offers for adoption with or without charge or
8 donation dogs in this State. However, a person who sells only
9 dogs that he has produced and raised shall not be considered a
10 dog dealer under this Act, and a veterinary hospital or clinic
11 operated by a veterinarian or veterinarians licensed under the
12 Veterinary Medicine and Surgery Practice Act of 2004 shall not
13 be considered a dog dealer under this Act.

14 "Secretary of Agriculture" or "Secretary" means the
15 Secretary of Agriculture of the United States Department of
16 Agriculture.

17 "Person" means any person, firm, corporation, partnership,
18 association or other legal entity, any public or private
19 institution, the State of Illinois, or any municipal
20 corporation or political subdivision of the State.

21 "Kennel operator" means any person who operates an
22 establishment, other than an animal control facility,
23 veterinary hospital, or animal shelter, where dogs or dogs and
24 cats are maintained for boarding, training or similar purposes
25 for a fee or compensation.

26 "Boarding" means a time frame greater than 12 hours or an

1 overnight period during which an animal is kept by a kennel
2 operator.

3 "Cat breeder" means a person who sells, offers to sell,
4 exchanges, or offers for adoption with or without charge cats
5 that he or she has produced and raised. A person who owns, has
6 possession of, or harbors 5 or less females capable of
7 reproduction shall not be considered a cat breeder.

8 "Dog breeder" means a person who sells, offers to sell,
9 exchanges, or offers for adoption with or without charge dogs
10 that he has produced and raised. A person who owns, has
11 possession of, or harbors 5 or less females capable of
12 reproduction shall not be considered a dog breeder.

13 "Animal control facility" means any facility operated by
14 or under contract for the State, county, or any municipal
15 corporation or political subdivision of the State for the
16 purpose of impounding or harboring seized, stray, homeless,
17 abandoned or unwanted dogs, cats, and other animals. "Animal
18 control facility" also means any veterinary hospital or clinic
19 operated by a veterinarian or veterinarians licensed under the
20 Veterinary Medicine and Surgery Practice Act of 2004 which
21 operates for the above mentioned purpose in addition to its
22 customary purposes.

23 "Animal shelter" means a facility operated, owned, or
24 maintained by a duly incorporated humane society, animal
25 welfare society, or other non-profit organization having
26 tax-exempt status under Section 501(c)(3) of the Internal

1 Revenue Code for the purpose of providing for and promoting
2 the welfare, protection, and humane treatment of animals. An
3 organization that does not have its own building that
4 maintains animals solely in foster homes or other licensees is
5 an "animal shelter" for purposes of this Act. "Animal shelter"
6 also means any veterinary hospital or clinic operated by a
7 veterinarian or veterinarians licensed under the Veterinary
8 Medicine and Surgery Practice Act of 2004 which operates for
9 the above mentioned purpose in addition to its customary
10 purposes.

11 "Day care operator" means a person who operates an
12 establishment, other than an animal control facility,
13 veterinary hospital, or animal shelter, where dogs or dogs and
14 cats are kept for a period of time not exceeding 12 hours.

15 "Foster home" means an entity that accepts the
16 responsibility for stewardship of animals that are the
17 obligation of an animal shelter or animal control facility,
18 not to exceed 4 foster animals or 2 litters under 8 weeks of
19 age at any given time. A written agreement to operate as a
20 "foster home" shall be contracted with the animal shelter or
21 animal control facility.

22 "Guard dog service" means an entity that, for a fee,
23 furnishes or leases guard or sentry dogs for the protection of
24 life or property. A person is not a guard dog service solely
25 because he or she owns a dog and uses it to guard his or her
26 home, business, or farmland.

1 "Guard dog" means a type of dog used primarily for the
2 purpose of defending, patrolling, or protecting property or
3 life at a commercial establishment other than a farm. "Guard
4 dog" does not include stock dogs used primarily for handling
5 and controlling livestock or farm animals, nor does it include
6 personally owned pets that also provide security.

7 "Return" in return to field or trap, neuter, return
8 program means to return the cat to field after it has been
9 sterilized and vaccinated for rabies.

10 "Sentry dog" means a dog trained to work without
11 supervision in a fenced facility other than a farm, and to
12 deter or detain unauthorized persons found within the
13 facility.

14 "Probationary status" means the 12-month period following
15 a series of violations of this Act during which any further
16 violation shall result in an automatic 12-month suspension of
17 licensure.

18 "Owner" means any person having a right of property in an
19 animal, who keeps or harbors an animal, who has an animal in
20 his or her care or acts as its custodian, or who knowingly
21 permits a dog to remain on any premises occupied by him or her.

22 "Owner" does not include a feral cat caretaker participating
23 in a trap, spay/neuter, vaccinate for rabies, and return
24 program.

25 "Offer for sale" means to sell, exchange for
26 consideration, offer for adoption, advertise for the sale of,

1 barter, auction, give away, or otherwise dispose of animals.

2 "Professional breeder" means a legal entity or individual
3 that conducts business within this State and that owns, has
4 possession of, or houses more than 5 breeding female dogs, is
5 required to be licensed and regulated under the federal Animal
6 Welfare Act by the United States Department of Agriculture,
7 and, in return for a fee or consideration, sells or adopts the
8 offspring of the breeding dogs to a pet store or dog dealer.

9 (Source: P.A. 101-81, eff. 7-12-19; 101-295, eff. 8-9-19;
10 102-586, eff. 2-23-22.)

11 (225 ILCS 605/3.6)

12 Sec. 3.6. Acceptance of stray dogs and cats.

13 (a) No animal shelter may accept a stray dog or cat unless
14 the animal is reported by the shelter to the animal control or
15 law enforcement of the county in which the animal is found by
16 the next business day. An animal shelter may accept animals
17 from: (1) the owner of the animal where the owner signs a
18 relinquishment form which states he or she is the owner of the
19 animal; (2) an animal shelter licensed under this Act; or (3)
20 an out-of-state animal control facility, rescue group, or
21 animal shelter that is duly licensed in their state or is a
22 not-for-profit organization. An animal shelter shall not
23 accept a dog or cat from an organization described in item (2)
24 or (3) unless it obtains documentation attesting that the dog
25 or cat was not obtained through compensation or payment made

1 to a cat breeder, dog breeder, dog dealer, or dog broker.

2 (b) When stray dogs and cats are accepted by an animal
3 shelter, they must be scanned for the presence of a microchip
4 and examined for other currently-acceptable methods of
5 identification, including, but not limited to, identification
6 tags, tattoos, and rabies license tags. The examination for
7 identification shall be done within 24 hours after the intake
8 of each dog or cat. The animal shelter shall notify the owner
9 and transfer any dog with an identified owner to the animal
10 control or law enforcement agency in the jurisdiction in which
11 it was found or the local animal control agency for
12 redemption.

13 (c) If no transfer can occur, the animal shelter shall
14 make every reasonable attempt to contact the owner, agent, or
15 caretaker as soon as possible. The animal shelter shall give
16 notice of not less than 7 business days to the owner, agent, or
17 caretaker prior to disposal of the animal. The notice shall be
18 mailed to the last known address of the owner, agent, or
19 caretaker. Testimony of the animal shelter, or its authorized
20 agent, who mails the notice shall be evidence of the receipt of
21 the notice by the owner, agent, or caretaker of the animal. A
22 mailed notice shall remain the primary means of owner, agent,
23 or caretaker contact; however, the animal shelter shall also
24 attempt to contact the owner, agent, or caretaker by any other
25 contact information, such as by telephone or email address,
26 provided by the microchip or other method of identification

1 found on the dog or cat. If the dog or cat has been
2 microchipped and the primary contact listed by the chip
3 manufacturer cannot be located or refuses to reclaim the dog
4 or cat, an attempt shall be made to contact any secondary
5 contacts listed by the chip manufacturer or the purchaser of
6 the microchip if the purchaser is a nonprofit organization,
7 animal shelter, animal control facility, pet store, breeder,
8 or veterinary office prior to adoption, transfer, or
9 euthanization. Prior to transferring any stray dog or cat to
10 another humane shelter, pet store, rescue group, or
11 euthanization, the dog or cat shall be scanned again for the
12 presence of a microchip and examined for other means of
13 identification. If a second scan provides the same identifying
14 information as the initial intake scan and the owner, agent,
15 or caretaker has not been located or refuses to reclaim the dog
16 or cat, the animal shelter may proceed with adoption,
17 transfer, or euthanization.

18 (d) When stray dogs and cats are accepted by an animal
19 shelter and no owner can be identified, the shelter shall hold
20 the animal for the period specified in local ordinance prior
21 to adoption, transfer, or euthanasia. The animal shelter shall
22 allow access to the public to view the animals housed there. If
23 a dog is identified by an owner who desires to make redemption
24 of it, the dog shall be transferred to the local animal control
25 for redemption. If no transfer can occur, the animal shelter
26 shall proceed pursuant to Section 3.7. Upon lapse of the hold

1 period specified in local ordinance and no owner can be
2 identified, ownership of the animal, by operation of law,
3 transfers to the shelter that has custody of the animal.

4 (e) No representative of an animal shelter may enter
5 private property and remove an animal without permission from
6 the property owner and animal owner, nor can any
7 representative of an animal shelter direct another individual
8 to enter private property and remove an animal unless that
9 individual is an approved humane investigator (approved by the
10 Department) operating pursuant to the provisions of the Humane
11 Care for Animals Act.

12 (f) Nothing in this Section limits an animal shelter and
13 an animal control facility who, through mutual agreement, wish
14 to enter into an agreement for animal control, boarding,
15 holding, measures to improve life-saving, or other services
16 provided that the agreement requires parties adhere to the
17 provisions of the Animal Control Act, the Humane Euthanasia in
18 Animal Shelters Act, and the Humane Care for Animals Act.

19 (g) An animal shelter shall not obtain a dog or cat by any
20 means other than owner surrender, transfer from an animal
21 control facility, an order by law enforcement, a court order,
22 or an animal shelter in compliance with subsection (a).

23 (Source: P.A. 99-310, eff. 1-1-16; 100-322, eff. 8-24-17;
24 100-870, eff. 1-1-19.)

1 Sec. 3.8. Requirements ~~Prohibition~~ of dogs and cats sold
2 by pet shops; recordkeeping.

3 (a) A pet shop operator or dog dealer may offer for sale a
4 dog or cat only if the dog or cat is obtained from an animal
5 control facility, ~~or~~ animal shelter, or professional breeder
6 located in-state or out-of-state, that is in compliance with
7 Section 3.9 or Section 3.10.

8 (b) (Blank). ~~A pet shop operator shall keep a record of~~
9 ~~each dog or cat offered for sale. The record must be kept on~~
10 ~~file for a period of 2 years following the acquisition of each~~
11 ~~dog or cat, made available to the Department upon request, and~~
12 ~~submitted to the Department on May 1 and November 1 of each~~
13 ~~year. The record shall include the following:~~

14 ~~(1) name, address, and phone number of the animal~~
15 ~~control facility or animal shelter each dog or cat was~~
16 ~~obtained from; and~~

17 ~~(2) documentation from the animal control facility or~~
18 ~~animal shelter each dog or cat was obtained from~~
19 ~~demonstrating compliance with Section 3.9, including the~~
20 ~~circumstances that led to the animal control facility or~~
21 ~~animal shelter obtaining ownership of the dog or cat and~~
22 ~~any other information indicating the dog or cat was not~~
23 ~~obtained from a source prohibited in Section 3.9.~~

24 (c) In addition to the penalties set forth in Section
25 20.5, a pet shop operator that violates subsection (a) shall
26 no longer offer for sale a dog or cat regardless of where the

1 dog or cat was obtained.

2 (d) Nothing in this Section prohibits a pet shop operator
3 from providing space to an animal control facility or animal
4 shelter to showcase dogs or cats owned by these entities for
5 the purpose of adoption.

6 (Source: P.A. 102-586, eff. 2-23-22.)

7 (225 ILCS 605/3.10 new)

8 Sec. 3.10. Requirements of professional dog breeders.

9 (a) In addition to the sourcing requirements in Section
10 3.08, a pet shop operator or dog dealer shall also submit
11 records to the Department that attest that dogs offered for
12 sale are obtained from a professional breeder and that the pet
13 shop operator or dog dealer are in compliance with this
14 Section.

15 (b) A professional breeder violates this Section if any of
16 the following conditions are not met:

17 (1) Primary enclosures comply with the following:

18 (A)(i) Prior to December 31, 2026, a primary
19 enclosure provides each dog with a minimum amount of
20 floor space, in square inches, that is equal to at
21 least 2 times the square of the length of the dog
22 housed in the enclosure in inches, as measured from
23 the tip of the nose to the base of the tail plus 6
24 inches; or (ii) on and after December 31, 2026, a
25 primary enclosure provides each dog with a minimum

1 amount of floor space, in square inches, that is equal
2 to at least 2 times the square of the length of the dog
3 housed in the enclosure in inches, as measured from
4 the tip of the nose to the base of the tail plus 9
5 inches. For each additional dog that is kept or
6 confined in a primary enclosure, the enclosure shall
7 have additional floor space in square inches equal to
8 the square of the length of the dog housed in the
9 enclosure in inches, as measured from the tip of the
10 nose to the base of the tail plus 9 inches.

11 (B) The primary enclosures have solid or slatted
12 floors and may consist of coated or expanded metal
13 flooring. The mandatory minimum space required for
14 primary enclosures in professional breeding facilities
15 shall have solid floors or flooring that is slatted
16 with slats that are at least 3.5 inches in width with
17 no more than half-inch gaps between slats. Flooring
18 shall be constructed in a manner that protects the
19 dogs' feet and legs from injury and that will not allow
20 the dogs' feet to pass through any openings in the
21 floor.

22 (C) The primary enclosures consist of materials
23 that can be cleaned and sanitized, are safe for the
24 breed, size, and age of the dog, are free from
25 protruding sharp edges, and are designed so that the
26 paw of the dog is unable to extend through or become

1 caught in the flooring.

2 (D) If the flooring surface of the primary
3 enclosure consists of a material that is not solid,
4 the primary enclosure has a solid resting area that
5 can accommodate the full length of the dog while lying
6 down.

7 (E) The flooring of the primary enclosure does not
8 sag, bend, or bounce.

9 (F) The primary enclosures are not stacked on top
10 of one another.

11 (G) The indoor temperatures of the primary
12 enclosures do not exceed below 45 degrees Fahrenheit
13 or above 85 degrees Fahrenheit for more than 2 hours,
14 unless a variation is recommended in consultation with
15 a licensed veterinarian.

16 (2) Breeding practices and veterinary care shall
17 comply with the following:

18 (A) A breeding female shall receive an examination
19 by a licensed veterinarian prior to its first breeding
20 cycle to ensure the female is healthy enough to be
21 bred.

22 (B) Annual veterinarian exams shall include, but
23 are not limited to: (i) a hands-on examination by a
24 veterinarian, including a comprehensive physical
25 examination, dental assessment, body condition
26 scoring, and pain assessment, at least once a year to

1 ensure health problems are identified and treated;
2 (ii) an assessment that a breeding female has received
3 adequate rest between litters to allow for proper
4 physical recovery and remains healthy enough to be
5 bred prior to its next breeding cycle; and (iii)
6 regular fur grooming and nail trimming as needed for
7 the safety and comfort of the dog based on that dog's
8 breed or at least twice a year.

9 (C) Canine cesarean sections and euthanasia are to
10 be performed only by licensed veterinarians.

11 (D) Retention of veterinarian records detailing
12 the program of care to ensure professional breeding
13 facilities provide the necessary care routinely
14 prescribed to companion animals.

15 (E) Unless otherwise directed by a veterinarian,
16 the dog is provided, twice each day, food that is
17 sufficient to maintain body condition and weight as
18 directed by a veterinarian. The food shall be
19 unspoiled and uncontaminated, provided in accordance
20 with a nutritional plan recommended by a veterinarian,
21 and served in receptacles that are clean and sanitary.

22 (F) Each day, the dog is provided access to a
23 continuous supply of potable water that is in clean
24 and sanitary receptacles and is of sufficient quality
25 and quantity to ensure maintenance of normal body
26 condition and growth unless otherwise directed by a

1 veterinarian.

2 (G) The breeder shall comply with a vaccination
3 and parasite control program that is approved by a
4 veterinarian and that is consistent with
5 recommendations of the American Veterinary Medical
6 Association or the American Animal Hospital
7 Association.

8 (3) All adult dogs in professional breeding facilities
9 have either constant, unfettered access or supervised
10 daily access to an exercise area of sufficient size to
11 ensure proper physical development, health, and
12 socialization. Socialization includes, but is not limited
13 to, daily petting, stroking, grooming, feeding, playing
14 with, exercising, or other touching of the dog that is
15 beneficial to the well-being of the dog. The exercise area
16 should, at a minimum, be at least twice the amount of space
17 required for the primary enclosure. The exercise area may
18 be indoors or outdoors. The exercise and socialization
19 program must be approved and certified by a licensed
20 veterinarian.

21 (4) If a dog is no longer to be bred or a veterinarian
22 determines the dog is no longer healthy enough to be bred,
23 the breeder shall retire the animal. If the breeder
24 chooses not to keep the dog, the breeder must make all
25 reasonable efforts to find placement with an adoptive
26 family, rescue organization, or other appropriate owner

1 for that animal.

2 (5) A professional breeder shall maintain all
3 veterinarian and animal care records for each animal for 2
4 years after ceasing to own the animal. A professional
5 breeder shall provide a copy of all veterinarian records,
6 audit records, and inspection reports upon the sale of any
7 animal. A pet store operator or dog dealer shall make
8 available copies of all veterinarian records, audit
9 records, and inspection reports of any animal to the
10 Department upon request.

11 (c) In addition to the penalties set forth in Section
12 20.5:

13 (1) Any person who received a dog or cat from a
14 professional breeder and who suffers actual damage may
15 bring an action for injunctive relief against a
16 professional breeder who intentionally or recklessly
17 violates Section 3.10. The court, in its discretion, may
18 restrain by preliminary or permanent injunction the use of
19 such method, act, or practice that is in violation of
20 Section 3.10.

21 (2) Prior to bringing an action under paragraph (1), a
22 person must first send notice to the Department of the
23 person's intent to file an action and shall include a list
24 of alleged violations. Actions pursuant to paragraph (1)
25 may be brought if, prior to initiating an action against a
26 professional breeder, the person provides the professional

1 breeder 30 days' written notice identifying the specific
2 provisions of this Act the professional breeder is alleged
3 to be violating. In the event a cure is possible, if within
4 30 days the professional breeder actually cures the
5 noticed violation and provides the person with an express
6 written statement that the violations have been cured and
7 no further violations shall occur, no action may be
8 initiated against the professional breeder. If a
9 professional breeder continues to violate Section 3.10 in
10 breach of the express written statement provided under
11 this Section, the person may initiate an action against
12 the professional breeder to enforce the written statement
13 and may pursue damages for each breach of the express
14 written statement, as well as any other violation of
15 Section 3.10 that postdates the written statement.

16 (3) The prevailing party in an action under this
17 Section shall recover attorneys fees.

18 (d) The Department's obligations under this Section are
19 subject to appropriation."