



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4748

by Rep. Harry Benton

SYNOPSIS AS INTRODUCED:

225 ILCS 605/3.6

Amends the Animal Welfare Act. In provisions concerning the acceptance of stray dogs and cats, provides that an animal shelter shall allow access to the public to view the animals housed there, and access to in-person viewing of the animals at the animal shelter shall not be restricted, except during emergency circumstances. Provides that "access to the public" means in-person access for any member of the public to view any impounded animal that is housed at an animal shelter during the animal shelter's regular hours of operation.

LRB104 19071 AAS 32516 b

1 AN ACT concerning regulation.

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

4 Section 5. The Animal Welfare Act is amended by changing
5 Section 3.6 as follows:

6 (225 ILCS 605/3.6)

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

8 (a) No animal shelter may accept a stray dog or cat unless
9 the animal is reported by the shelter to the animal control or
10 law enforcement of the county in which the animal is found by
11 the next business day. An animal shelter may accept animals
12 from: (1) the owner of the animal where the owner signs a
13 relinquishment form which states he or she is the owner of the
14 animal; (2) an animal shelter licensed under this Act; or (3)
15 an out-of-state animal control facility, rescue group, or
16 animal shelter that is duly licensed in their state or is a
17 not-for-profit organization.

18 (b) When stray dogs and cats are accepted by an animal
19 shelter, they must be scanned for the presence of a microchip
20 and examined for other currently-acceptable methods of
21 identification, including, but not limited to, identification
22 tags, tattoos, and rabies license tags. The examination for
23 identification shall be done within 24 hours after the intake

1 of each dog or cat. The animal shelter shall notify the owner
2 and transfer any dog with an identified owner to the animal
3 control or law enforcement agency in the jurisdiction in which
4 it was found or the local animal control agency for
5 redemption.

6 (c) If no transfer can occur, the animal shelter shall
7 make every reasonable attempt to contact the owner, agent, or
8 caretaker as soon as possible. The animal shelter shall give
9 notice of not less than 7 business days to the owner, agent, or
10 caretaker prior to disposal of the animal. The notice shall be
11 mailed to the last known address of the owner, agent, or
12 caretaker. Testimony of the animal shelter, or its authorized
13 agent, who mails the notice shall be evidence of the receipt of
14 the notice by the owner, agent, or caretaker of the animal. A
15 mailed notice shall remain the primary means of owner, agent,
16 or caretaker contact; however, the animal shelter shall also
17 attempt to contact the owner, agent, or caretaker by any other
18 contact information, such as by telephone or email address,
19 provided by the microchip or other method of identification
20 found on the dog or cat. If the dog or cat has been
21 microchipped and the primary contact listed by the chip
22 manufacturer cannot be located or refuses to reclaim the dog
23 or cat, an attempt shall be made to contact any secondary
24 contacts listed by the chip manufacturer or the purchaser of
25 the microchip if the purchaser is a nonprofit organization,
26 animal shelter, animal control facility, pet store, breeder,

1 or veterinary office prior to adoption, transfer, or
2 euthanization. Prior to transferring any stray dog or cat to
3 another humane shelter, pet store, rescue group, or
4 euthanization, the dog or cat shall be scanned again for the
5 presence of a microchip and examined for other means of
6 identification. If a second scan provides the same identifying
7 information as the initial intake scan and the owner, agent,
8 or caretaker has not been located or refuses to reclaim the dog
9 or cat, the animal shelter may proceed with adoption,
10 transfer, or euthanization.

11 (d) When stray dogs and cats are accepted by an animal
12 shelter and no owner can be identified, the shelter shall hold
13 the animal for the period specified in local ordinance prior
14 to adoption, transfer, or euthanasia. The animal shelter shall
15 allow access to the public to view the animals housed there,
16 and access to in-person viewing of the animals at the animal
17 shelter shall not be restricted, except during emergency
18 circumstances. If a dog is identified by an owner who desires
19 to make redemption of it, the dog shall be transferred to the
20 local animal control for redemption. If no transfer can occur,
21 the animal shelter shall proceed pursuant to Section 3.7. Upon
22 lapse of the hold period specified in local ordinance and no
23 owner can be identified, ownership of the animal, by operation
24 of law, transfers to the shelter that has custody of the
25 animal.

26 For purposes of this subsection (d), "access to the

1 public" means in-person access for any member of the public to
2 view any impounded animal that is housed at an animal shelter
3 during the animal shelter's regular hours of operation.

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 (Source: P.A. 99-310, eff. 1-1-16; 100-322, eff. 8-24-17;
20 100-870, eff. 1-1-19.)