



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4380

by Rep. Allen Skillicorn

#### SYNOPSIS AS INTRODUCED:

510 ILCS 70/3.01

from Ch. 8, par. 703.01

Amends the Humane Care for Animals Act. Provides that no owner of a dog or cat that is a companion animal may expose the dog or cat in a manner that places the dog or cat in a life-threatening situation for a prolonged period of time in extreme heat of 100 degrees Fahrenheit or above or cold conditions of 20 degrees Fahrenheit or below that could: (1) result in injury to or death of the animal; or (2) result in hypothermia, hyperthermia, frostbite, or similar condition as diagnosed by a doctor of veterinary medicine.

LRB100 17809 SLF 32988 b

1 AN ACT concerning animals.

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

4 Section 5. The Humane Care for Animals Act is amended by  
5 changing Section 3.01 as follows:

6 (510 ILCS 70/3.01) (from Ch. 8, par. 703.01)

7 Sec. 3.01. Cruel treatment.

8 (a) No person or owner may beat, cruelly treat, torment,  
9 starve, overwork or otherwise abuse any animal.

10 (b) No owner may abandon any animal where it may become a  
11 public charge or may suffer injury, hunger or exposure.

12 (c) No owner of a dog or cat that is a companion animal may  
13 expose the dog or cat in a manner that places the dog or cat in  
14 a life-threatening situation for a prolonged period of time in  
15 extreme heat of 100 degrees Fahrenheit or above or cold  
16 conditions of 20 degrees Fahrenheit or below that could:

17 (1) result ~~results~~ in injury to or death of the animal;

18 or

19 (2) result ~~results~~ in hypothermia, hyperthermia,  
20 frostbite, or similar condition as diagnosed by a doctor of  
21 veterinary medicine.

22 (c-5) Nothing in this Section shall prohibit an animal from  
23 being impounded in an emergency situation under subsection (b)

1 of Section 12 of this Act.

2 (d) A person convicted of violating this Section is guilty  
3 of a Class A misdemeanor. A second or subsequent conviction for  
4 a violation of this Section is a Class 4 felony. In addition to  
5 any other penalty provided by law, a person who is convicted of  
6 violating subsection (a) upon a companion animal in the  
7 presence of a child, as defined in Section 12-0.1 of the  
8 Criminal Code of 2012, shall be subject to a fine of \$250 and  
9 ordered to perform community service for not less than 100  
10 hours. In addition to any other penalty provided by law, upon  
11 conviction for violating this Section, the court may order the  
12 convicted person to undergo a psychological or psychiatric  
13 evaluation and to undergo any treatment at the convicted  
14 person's expense that the court determines to be appropriate  
15 after due consideration of the evidence. If the convicted  
16 person is a juvenile or a companion animal hoarder, the court  
17 must order the convicted person to undergo a psychological or  
18 psychiatric evaluation and to undergo treatment that the court  
19 determines to be appropriate after due consideration of the  
20 evaluation.

21 (Source: P.A. 99-311, eff. 1-1-16; 99-357, eff. 1-1-16; 99-642,  
22 eff. 7-28-16; 99-782, eff. 8-12-16.)