



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1347

Introduced 2/13/2019, by Sen. Laura Ellman

SYNOPSIS AS INTRODUCED:

510 ILCS 70/2.11 new
510 ILCS 70/17
510 ILCS 70/19 new

Amends the Humane Care for Animals Act. Provides that upon entering a conviction, on or after January 1, 2020, for a violation of specified provisions of the Act, or of specified provisions of the Criminal Code of 2012, by a defendant 18 years of age or older, the presiding judge shall notify the defendant that the conviction will be reported to the national animal abuse Do Not Adopt Registry. Provides that the court shall order the clerk of the court to send notice of the conviction and the defendant's name, date of birth, and offense for which the defendant has been convicted, to the national Do Not Adopt Registry. Provides that any animal shelter, pet store, animal breeder, or individual may conduct a search of the national Do Not Adopt Registry prior to selling, transferring, delivering, or placing for adoption a companion animal to another person. Provides that no cause of action shall arise from the failure of any animal shelter, pet store, animal breeder, or person to conduct a search of the national Do Not Adopt Registry prior to selling, transferring, delivering, or placing for adoption a companion animal to another person. Provides that no cause of action shall arise from the actions of any animal shelter, pet store, animal breeder, or person in conducting a search of the national Do Not Adopt Registry prior to selling, transferring, delivering, or placing for adoption a companion animal to another person.

LRB101 10581 SLF 55687 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 17 and by adding Sections 2.11 and 19 as
6 follows:

7 (510 ILCS 70/2.11 new)

8 Sec. 2.11. National Do Not Adopt Registry. "National Do Not
9 Adopt Registry" means the national registry of animal abuse
10 convictions maintained by the Animal Legal Defense Fund that
11 (1) contains the convicted person's name, date of birth, the
12 offense for which the person has been convicted, and whether
13 the person is prohibited from possessing animals and (2) is
14 free of charge, publicly accessible, and searchable by full
15 name and birthdate.

16 (510 ILCS 70/17)

17 Sec. 17. Penalties.

18 (a) Any person convicted of any act of abuse or neglect or
19 of violating any other provision of this Act, except Section
20 19, for which a penalty is not otherwise provided, or any rule,
21 regulation, or order of the Department pursuant thereto, is
22 guilty of a Class B misdemeanor. A second or subsequent

1 violation is a Class 4 felony with every day that a violation
2 continues constituting a separate offense.

3 (b) The Department may enjoin a person from a continuing
4 violation of this Act.

5 (Source: P.A. 95-560, eff. 8-30-07.)

6 (510 ILCS 70/19 new)

7 Sec. 19. National Do Not Adopt Registry; reporting.

8 (a) Upon entering a conviction, on or after January 1,
9 2020, for a violation involving companion animals of Section
10 3.01, 3.02, or 3.03 of this Act, or for a violation of Section
11 4.01 or 6 of this Act, or Section 12-35 or 48-1 of the Criminal
12 Code of 2012, by a defendant 18 years of age or older, the
13 presiding judge shall notify the defendant that the conviction
14 will be reported to the national Do Not Adopt Registry. The
15 court shall order the clerk of the court to send notice of the
16 conviction and the defendant's name, date of birth, and offense
17 for which the defendant has been convicted, to the national Do
18 Not Adopt Registry.

19 (b) Any animal shelter, pet store, animal breeder, or
20 person may conduct a search of the national Do Not Adopt
21 Registry prior to selling, transferring, delivering, or
22 placing for adoption a companion animal to another person.

23 (c) No cause of action shall arise from the failure of any
24 animal shelter, pet store, animal breeder, or person to conduct
25 a search of the national Do Not Adopt Registry prior to

1 selling, transferring, delivering, or placing for adoption a
2 companion animal to another person. No cause of action shall
3 arise from the actions of any animal shelter, pet store, animal
4 breeder, or person in conducting a search of the national Do
5 Not Adopt Registry prior to selling, transferring, delivering,
6 or placing for adoption a companion animal to another person.