



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5492

Introduced 1/31/2022, by Rep. Tom Weber

SYNOPSIS AS INTRODUCED:

720 ILCS 5/48-12 new

Amends the Criminal Code of 2012. Provides that it is unlawful for a person, during the commission of a felony, to knowingly kill or severely injure any animal used by a law enforcement agency, a fire department, or a search and rescue team or agency in the performance of the functions or duties of the agency or department. Provides that it is unlawful for a person, during the commission of a felony, to knowingly kill or seriously injure any search and rescue dog, any police animal, or any accelerant detection dog used by a firefighter or fire investigator for arson investigations in the performance of the animal's functions or duties or in training. Provides that if the offender is found guilty, the offender shall be responsible for any veterinarian and medical expenses for the animal that was injured, and purchase and training costs for another, if the animal is killed or injured and is no longer able to be in service. Provides that a violation is a Class 2 felony.

LRB102 23930 RLC 33130 b

1 AN ACT concerning criminal law.

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

4 Section 1. This Act may be referred to as Draco's Law.

5 Section 5. The Criminal Code of 2012 is amended by adding
6 Section 48-12 as follows:

7 (720 ILCS 5/48-12 new)

8 Sec. 48-12. Injuring or killing police animals, service
9 animals, accelerant detection dogs, or search and rescue dogs.

10 (a) In this Section:

11 "Law enforcement agency" means an agency of the State or
12 of a unit of local government charged with enforcement of
13 State, county, or municipal laws or ordinances or with
14 managing custody of detained persons in this State, but does
15 not include a State's Attorney.

16 "Police animal" has the meaning ascribed to it in Section
17 2.08 of the Humane Care for Animals Act.

18 "Search and rescue dog" has the meaning ascribed to it in
19 Section 2.01d of the Humane Care for Animals Act.

20 (b) It is unlawful for a person, during the commission of a
21 felony, to knowingly kill or severely injure any animal used
22 by a law enforcement agency, a fire department, or a search and

1 rescue team or agency in the performance of the functions or
2 duties of the agency or department.

3 (c) It is unlawful for a person, during the commission of a
4 felony, to knowingly kill or seriously injure any search and
5 rescue dog, any police animal, or any accelerant detection dog
6 used by a firefighter or fire investigator for arson
7 investigations in the performance of the animal's functions or
8 duties or in training.

9 (d) If the offender is found guilty under this Section,
10 the offender shall be responsible for any veterinarian and
11 medical expenses for the animal that was injured, and purchase
12 and training costs for another, if the animal is killed or
13 injured and is no longer able to be in service.

14 (e) A person is not in violation of this Section if the
15 animal used by a law enforcement agency, search and rescue
16 agency, or a fire department was used against the person in
17 violation of the law enforcement agency use of force continuum
18 or agency's policy.

19 (f) Sentence. A violation of this Section is a Class 2
20 felony.