

# SB2266



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2266

Introduced 2/26/2021, by Sen. Steve McClure

### SYNOPSIS AS INTRODUCED:

510 ILCS 70/3.02

Amends the Humane Care for Animals Act. Makes changes to the penalties for persons convicted of aggravated cruelty to a companion animal. Provides that a person convicted of causing the death of a companion animal is guilty of a Class 3 felony (rather than a Class 4 felony). Provides that a second or subsequent conviction for an act that causes the death of a companion animal is a Class 2 felony (rather than a Class 3 felony).

LRB102 17281 KMF 22753 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

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 3.02 as follows:

6 (510 ILCS 70/3.02)

7 Sec. 3.02. Aggravated cruelty.

8 (a) No person may intentionally commit an act that causes  
9 a companion animal to suffer serious injury or death.  
10 Aggravated cruelty does not include euthanasia of a companion  
11 animal through recognized methods approved by the Department  
12 of Agriculture unless prohibited under subsection (b).

13 (b) No individual, except a licensed veterinarian as  
14 exempted under Section 3.09, may knowingly or intentionally  
15 euthanize or authorize the euthanasia of a companion animal by  
16 use of carbon monoxide.

17 (c) A person convicted of violating this Section for an  
18 act that causes a companion animal to suffer serious injury is  
19 guilty of a Class 4 felony. A person convicted for an act that  
20 causes the death of a companion animal is guilty of a Class 3  
21 felony ~~Section 3.02 is guilty of a Class 4 felony.~~ A second or  
22 subsequent violation for an act that causes a companion animal  
23 to suffer serious injury is a Class 3 felony. A second or

1 subsequent violation for an act that causes the death of a  
2 companion animal is a Class 2 felony ~~is a Class 3 felony~~. In  
3 addition to any other penalty provided by law, upon conviction  
4 for violating this Section, the court may order the convicted  
5 person to undergo a psychological or psychiatric evaluation  
6 and to undergo any treatment at the convicted person's expense  
7 that the court determines to be appropriate after due  
8 consideration of the evaluation. If the convicted person is a  
9 juvenile or a companion animal hoarder, the court must order  
10 the convicted person to undergo a psychological or psychiatric  
11 evaluation and to undergo treatment that the court determines  
12 to be appropriate after due consideration of the evaluation.

13 (Source: P.A. 96-780, eff. 8-28-09.)