



Sen. Pamela J. Althoff

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1 AMENDMENT TO SENATE BILL 3120

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3120 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Animal Welfare Act is amended by changing  
5 Sections 2, 2.2, 3, 3.1, 3.2, 5, 6, 6.5, 7, 8, 9, 10, 16, 18,  
6 18.1, 20, 20.5, and 21 and by adding Section 2.3 as follows:

7 (225 ILCS 605/2) (from Ch. 8, par. 302)

8 Sec. 2. Definitions. As used in this Act unless the context  
9 otherwise requires:

10 "Adoption" means the acceptance of ownership of an animal  
11 that is in the custody of an animal shelter, animal rescue,  
12 humane society, foster home, or animal control or that is no  
13 longer considered sellable or being offered for sale by a pet  
14 shop or breeder.

15 "Department" means the Illinois Department of Agriculture.

16 "Director" means the Director of the Illinois Department of

1 Agriculture.

2 "Pet shop operator" means any person other than an animal  
3 control facility, veterinary hospital, animal shelter, or  
4 records-only animal shelter who sells, offers to sell,  
5 exchanges ~~exchange~~, or offers for adoption with or without  
6 charge or donation dogs, cats, birds, fish, reptiles, or other  
7 animals customarily obtained as pets in this State.

8 However, a person who sells only such animals that he or  
9 she has produced and raised shall not be considered a pet shop  
10 operator under this Act, and a veterinary hospital or clinic  
11 operated by a veterinarian or veterinarians licensed under the  
12 Veterinary Medicine and Surgery Practice Act of 2004 shall not  
13 be considered a pet shop operator under this Act.

14 "Dog breeder" means any person other than an animal control  
15 facility, veterinary hospital, animal shelter, or records-only  
16 animal shelter who sells, offers to sell, exchanges, or offers  
17 for adoption with or without charge or donation dogs that he or  
18 she has produced and raised. A person who owns, has possession  
19 of, or harbors 5 or fewer females capable of reproduction shall  
20 not be considered a dog breeder unless that person is required  
21 be licensed under the federal Animal Welfare Act (7 U.S.C  
22 2131).

23 "Dog daycare provider" means any person other than an  
24 animal control facility, veterinary hospital, animal shelter,  
25 or records-only animal shelter who operates an establishment  
26 for a fee or compensation where dogs are maintained in a

1 communal environment with dogs from other households for less  
2 than 24 continuous hours.

3 "Dog dealer" means any person who sells, offers to sell,  
4 exchange, or offers for adoption with or without charge or  
5 donation dogs in this State. However, a person other than an  
6 animal control facility, animal shelter, or records-only  
7 animal shelter who sells only dogs that he or she has produced  
8 and raised shall not be considered a dog dealer under this Act,  
9 and a veterinary hospital or clinic operated by a veterinarian  
10 or veterinarians licensed under the Veterinary Medicine and  
11 Surgery Practice Act of 2004 shall not be considered a dog  
12 dealer under this Act.

13 "Female capable of reproduction" means any intact female  
14 over the age of one year and under the age of 8 years.

15 "Hobby breeder" means any person who has possession of or  
16 harbors more than 5 but fewer than 26 female dogs capable of  
17 reproduction and who sells, offers to sell, exchanges, or  
18 offers for adoption with or without charge or donation dogs  
19 that he or she has produced and raised.

20 "Secretary of Agriculture" or "Secretary" means the  
21 Secretary of Agriculture of the United States Department of  
22 Agriculture.

23 "Person" means any person, firm, corporation, partnership,  
24 association or other legal entity, any public or private  
25 institution, the State of Illinois, or any municipal  
26 corporation or political subdivision of the State.

1 "Kennel operator" means any person who operates an  
2 establishment, other than an animal control facility,  
3 veterinary hospital, or animal shelter, where dogs or dogs and  
4 cats are maintained for 24 continuous hours or longer for  
5 boarding, training, or similar purposes for a fee or  
6 compensation; ~~or who sells, offers to sell, exchange, or offers~~  
7 ~~for adoption with or without charge dogs or dogs and cats which~~  
8 ~~he has produced and raised. A person who owns, has possession~~  
9 ~~of, or harbors 5 or less females capable of reproduction shall~~  
10 ~~not be considered a kennel operator.~~

11 "Large-scale breeder" means any person who has possession  
12 of or harbors 26 or more female dogs capable of reproduction  
13 and who sells, offers to sell, exchanges, or offers for  
14 adoption with or without charge or donation dogs that he or she  
15 has produced and raised.

16 "Cattery operator" means any person other than an animal  
17 control facility, veterinary hospital, animal shelter, or  
18 records-only animal shelter who ~~operates an establishment,~~  
19 ~~ether than an animal control facility or animal shelter, where~~  
20 ~~eats are maintained for boarding, training or similar purposes~~  
21 ~~for a fee or compensation; or who sells, offers to sell,~~  
22 exchanges ~~exchange,~~ or offers for adoption with or without  
23 charge or donation ~~charges~~ cats that ~~which~~ he or she has  
24 produced and raised. A person who owns, has possession of, ~~or~~  
25 harbors 5 or fewer ~~less~~ females capable of reproduction shall  
26 not be considered a cattery operator.

1 "Animal control facility" means any facility operated by or  
2 under contract for the State, county, or any municipal  
3 corporation or political subdivision of the State for the  
4 purpose of impounding or harboring seized, stray, homeless,  
5 abandoned or unwanted dogs, cats, and other animals. "Animal  
6 control facility" also means any veterinary hospital or clinic  
7 operated by a veterinarian or veterinarians licensed under the  
8 Veterinary Medicine and Surgery Practice Act of 2004 which  
9 operates for the above mentioned purpose in addition to its  
10 customary purposes.

11 "Animal shelter" means a facility operated, owned, or  
12 maintained by a duly incorporated humane society, animal  
13 welfare society, or other non-profit organization for the  
14 purpose of providing for and promoting the welfare, protection,  
15 and humane treatment of animals. "Animal shelter" also means  
16 any veterinary hospital or clinic operated by a veterinarian or  
17 veterinarians licensed under the Veterinary Medicine and  
18 Surgery Practice Act of 2004 which operates for the above  
19 mentioned purpose in addition to its customary purposes.

20 "Records-only animal shelter" means a duly incorporated  
21 humane society, animal welfare society, or other non-profit  
22 organization that provides for and promotes the welfare,  
23 protection, and humane treatment of animals by housing and  
24 maintaining the animals at foster homes permitted under this  
25 Act.

26 "Foster home" means an entity that accepts the

1 responsibility for stewardship of animals that are the  
2 obligation of an animal shelter, records-only animal shelter,  
3 or animal control facility. ~~, not to exceed 4 animals at any~~  
4 ~~given time.~~ Permits to operate as a "foster home" shall be  
5 obtained from ~~issued through~~ the animal shelter, records-only  
6 animal shelter, or animal control facility that applies to the  
7 Department for the permit on behalf of the foster home.

8 "Guard dog service" means an entity that, for a fee,  
9 furnishes or leases guard or sentry dogs for the protection of  
10 life or property. A person is not a guard dog service solely  
11 because he or she owns a dog and uses it to guard his or her  
12 home, business, or farmland.

13 "Guard dog" means a type of dog used primarily for the  
14 purpose of defending, patrolling, or protecting property or  
15 life at a commercial establishment other than a farm. "Guard  
16 dog" does not include stock dogs used primarily for handling  
17 and controlling livestock or farm animals, nor does it include  
18 personally owned pets that also provide security.

19 "Sentry dog" means a dog trained to work without  
20 supervision in a fenced facility other than a farm, and to  
21 deter or detain unauthorized persons found within the facility.

22 "Probationary status" means the 12-month period following  
23 a series of violations of this Act during which any further  
24 violation shall result in an automatic 12-month suspension of  
25 licensure.

26 (Source: P.A. 95-550, eff. 6-1-08.)

1 (225 ILCS 605/2.2) (from Ch. 8, par. 302.2)

2 Sec. 2.2. Age restrictions on dogs and cats for sale;  
3 maintenance of records.

4 (a) No dog dealer, dog breeder, pet shop operator, kennel  
5 operator, or cattery operator shall sell ~~separate~~ a puppy or  
6 kitten ~~from its mother, for the purpose of sale,~~ until such  
7 puppy or kitten has attained the age of 8 weeks.

8 (b) All licensees under this Act shall maintain records of  
9 the origin and sale or adoption of all dogs and cats, and such  
10 records shall be made available for inspection by the Secretary  
11 or the Department upon demand. Such records must contain proof  
12 in proper form of purebreds and their pedigree, and evidence of  
13 such proof must be provided to any person acquiring a dog or  
14 cat from a licensee under this Act. In addition, guard dog  
15 services shall be required to maintain records of transfer of  
16 ownership, death, or disappearance of a guard dog or sentry dog  
17 used by that guard dog service.

18 (Source: P.A. 89-178, eff. 7-19-95.)

19 (225 ILCS 605/2.3 new)

20 Sec. 2.3. Restrictions on purchase of dogs and cats by pet  
21 shop operators. A pet shop operator may only purchase a dog or  
22 cat from a dog dealer, large-scale dog breeder, cattery  
23 operator, or other pet shop operator that is licensed under  
24 this Act or the federal Animal Welfare Act (7 U.S.C. 2131).

1 (225 ILCS 605/3) (from Ch. 8, par. 303)

2 Sec. 3. Unlicensed activity; types of licenses;  
3 exemptions.

4 (a) Except as provided in subsection (b) of this Section,  
5 no person shall engage in business as a pet shop operator, dog  
6 dealer, kennel operator, dog daycare provider, hobby breeder,  
7 large-scale breeder, or cattery operator, or operate a guard  
8 dog service, an animal control facility, an animal shelter, or  
9 a records-only animal shelter ~~or any combination thereof,~~ in  
10 this State without a license therefor issued by the Department.

11 (a-5) A separate license shall be required to operate each  
12 of the businesses listed in subsection (a) of this Section.  
13 ~~Only one license shall be required for any combination of~~  
14 ~~businesses at one location, except that a separate license~~  
15 ~~shall be required to operate a guard dog service.~~ Guard dog  
16 services that are located outside this State but provide  
17 services within this State are required to obtain a license  
18 from the Department. Out-of-state guard dog services are  
19 required to comply with the requirements of this Act with  
20 regard to guard dogs and sentry dogs transported to or used  
21 within this State.

22 (a-10) The Department shall issue the following types of  
23 licenses under this Act for pet shop operators:

24 (1) A Type I licensee may sell, offer to sell,  
25 exchange, or offer for adoption with or without charge or



1        donation dogs, cats, birds, fish, reptiles, and other  
2        animals customarily obtained as pets in this State.

3        (2) A Type II licensee may sell, offer to sell,  
4        exchange, or offer for adoption with or without charge or  
5        donation birds, fish, reptiles, and other animals  
6        customarily obtained as pets in this State, but not dogs or  
7        cats.

8        (b) This Act does not apply to a private detective agency  
9        or private security agency licensed under the Private  
10        Detective, Private Alarm, Private Security, Fingerprint  
11        Vendor, and Locksmith Act of 2004 that provides guard dog or  
12        canine odor detection services and does not otherwise operate a  
13        kennel for hire.

14        (Source: P.A. 95-613, eff. 9-11-07.)

15        (225 ILCS 605/3.1) (from Ch. 8, par. 303.1)

16        Sec. 3.1. Information on dogs and cats for sale or  
17        adoption.

18        (a) Every pet shop operator, dog dealer, dog breeder,  
19        animal shelter, records-only animal shelter, and cattery  
20        operator shall provide the following information upon request  
21        for every dog or cat available for sale or adoption:

22        (1) ~~(a)~~ The age, sex, color, and weight of the animal.

23        (2) ~~(b)~~ The breed of the animal.

24        (3) ~~(c)~~ A record of vaccinations and veterinary care  
25        and treatment. If vaccinations or veterinary care were

1 provided by a veterinarian, then the date examined, the  
2 dates that any medication was administered, and the name  
3 and business address of the veterinarian who provided the  
4 services.

5 (4) ~~(d)~~ A record of surgical sterilization or lack of  
6 surgical sterilization.

7 (5) ~~(e)~~ The name, ~~and~~ address, Illinois license number,  
8 and, if applicable, USDA certificate number of the breeder  
9 of the animal.

10 (6) ~~(f)~~ The name, ~~and~~ address, Illinois license number,  
11 and, if applicable, USDA certificate number of any other  
12 person who owned or harbored the animal between its birth  
13 and the point of sale.

14 (7) If eligible for registration with a pedigree  
15 registry, then the name and registration numbers of the  
16 sire and dam and the address of the pedigree registry where  
17 the sire and dam are registered.

18 (b) A purchaser or adopter must be provided with a copy of  
19 the "Buying or Adopting a New Pet" pamphlet. The pamphlet shall  
20 be created by and be in such format as may be prescribed by the  
21 Department. The purchaser or adopter must initial a statement  
22 verifying that he or she has received and read the pamphlet  
23 prior to the sale. A copy of the initialed statement shall be  
24 maintained by the licensee for a period of 12 months after the  
25 sale.

26 (Source: P.A. 87-819.)

1 (225 ILCS 605/3.2)

2 Sec. 3.2. Foster homes. A person shall not operate a foster  
3 home without first obtaining a permit from the animal shelter,  
4 records-only animal shelter, or animal control facility for  
5 which that person will operate the foster home. Upon  
6 application and payment of the required fees by the animal  
7 shelter, records-only animal shelter, or animal control  
8 facility, the Department shall issue a foster home permit  
9 ~~permits~~ to the animal shelter, records-only animal shelter, or  
10 animal control facility. The animal shelter, records-only  
11 animal shelter, or animal control facility shall be responsible  
12 for the records and have all the obligations of stewardship for  
13 animals in the foster home for which it obtained a permit from  
14 the Department ~~homes to which it issues permits~~. By applying to  
15 the Department and obtaining a foster home permit, the animal  
16 shelter, records-only animal shelter, or animal control  
17 facility certifies that the foster home meets the requirements  
18 of this Act.

19 Foster homes shall provide the care for animals required by  
20 this Act and shall report any deviation that might affect the  
21 status of the license or permit to the animal shelter,  
22 records-only animal shelter, or animal control facility.

23 A foster home shall not care for more than 4 fostered  
24 animals at any one time. A mother and all of her offspring that  
25 are under 3 months of age shall be considered a single fostered

1 animal. An equine mother and all of her offspring that are  
2 under the age of one year shall be considered a single fostered  
3 animal.

4 (Source: P.A. 89-178, eff. 7-19-95.)

5 (225 ILCS 605/5) (from Ch. 8, par. 305)

6 Sec. 5. Application by individual for licensure;  
7 pre-licensing inspection.

8 (a) Applications by individuals for original licenses  
9 shall be made to the Department, shall be in writing on forms  
10 prescribed by the Department and shall be accompanied by the  
11 required fee, which shall not be returnable. An incomplete  
12 application shall be returned to the applicant for completion.

13 Any such application shall require such information as in the  
14 judgment of the Department will enable the Department to pass  
15 on the qualifications of the applicant for a license.

16 (b) The application ~~it~~ shall include, but need not be  
17 limited to, information concerning age, citizenship, present  
18 residence, and location of the business for which a license is  
19 being applied for licensed under this Act. The application  
20 shall also include, if applicable, the following information: ~~τ~~  
21 ~~including~~

22 (1) the location of all proposed foster homes; ~~i τ~~

23 (2) a description of facilities to be used; ~~i τ~~

24 (3) the applicant's present and previous business  
25 connections and experience; ~~i τ bank and~~

1           (4) professional references; ~~7~~

2           (5) whether any license of the applicant under this Act  
3           or any federal, state, county or local law, ordinance or  
4           regulation, relating to dealing in or handling dogs or  
5           cats, ever was suspended or revoked; and

6           (6) whether the applicant ever has been convicted of a  
7           felony.

8           (c) A ~~Such~~ felony conviction may be taken into  
9           consideration by the Department in determining qualifications  
10          for licensing ~~but shall not operate as a bar to licensing.~~

11          (d) The Department must complete a pre-licensing  
12          inspection to determine compliance with this Act. A license may  
13          not be issued until the applicant is in full compliance with  
14          this Act. No license shall be issued until all fines assessed  
15          against the applicant under this Act have been paid to the  
16          Department.

17          (Source: P.A. 89-178, eff. 7-19-95.)

18                 (225 ILCS 605/6) (from Ch. 8, par. 306)

19                 Sec. 6. Application by partnership or corporation for  
20                 licensure; pre-licensing inspection.

21                 (a) Applications by partnerships or corporations for  
22                 original licenses shall be made to the Department, shall be in  
23                 writing on forms prescribed by the Department and shall be  
24                 accompanied by the required fee, which shall not be returnable.  
25                 An incomplete application shall be returned to the applicant

1 for completion. Any such application shall list, but need not  
2 be limited to, the name of each partner, if a partnership, each  
3 director and officer, if a corporation, its address, and its  
4 financial resources, and shall indicate and list the partners,  
5 directors or officers, as the case may be, or other persons  
6 authorized to represent or act for it under this Act.

7 (b) The Department must complete a pre-licensing  
8 inspection to determine the applicant's compliance with this  
9 Act. A license may not be issued until the applicant is in full  
10 compliance with this Act. No license shall be issued until all  
11 finances assessed against the applicant under this Act have been  
12 paid to the Department.

13 (Source: P.A. 81-198.)

14 (225 ILCS 605/6.5)

15 Sec. 6.5. Termination of application; forfeiture of  
16 license fee. Failure of any applicant to meet all of the  
17 requirements for compliance within 60 days after the  
18 pre-licensing inspection conducted by the Department ~~of~~  
19 ~~receipt of a license application~~ shall result in termination of  
20 the application and forfeiture of the license fee.

21 (Source: P.A. 90-385, eff. 8-15-97; 90-403, eff. 8-15-97.)

22 (225 ILCS 605/7) (from Ch. 8, par. 307)

23 Sec. 7. Application for renewal of license. Applications  
24 for renewal licenses shall be made to the Department, shall be

1 in writing on forms prescribed by the Department, shall contain  
2 such information as will enable the Department to determine if  
3 the applicant is qualified to continue to hold a license and  
4 shall be accompanied by the required fee, which shall not be  
5 returnable. An incomplete application shall be returned to the  
6 applicant for completion.

7 (Source: P.A. 81-198.)

8 (225 ILCS 605/8) (from Ch. 8, par. 308)

9 Sec. 8. Non-resident applicant for licensure or renewal of  
10 license. Each non-resident applicant for an original license or  
11 renewal license, except a foreign corporation, shall file with  
12 the Department an irrevocable consent that actions against the  
13 applicant may be filed in any appropriate court of any county  
14 or municipality of this State in which the plaintiff resides or  
15 in which some part of the transaction occurred out of which the  
16 alleged cause of action arose and that process in any action  
17 may be served on the applicant by leaving 2 copies thereof with  
18 the Director. Such consent shall stipulate and agree that such  
19 service of process shall be taken and held to be valid and  
20 binding for all purposes. The Director shall send forthwith one  
21 copy of such process to the applicant at the address shown on  
22 the records of the Department by registered mail. No foreign  
23 corporation shall receive a license under this Act until it has  
24 been authorized to do business in this State by the Secretary  
25 of State. A non-resident applicant shall provide proof of

1 licensure in his or her home state by the licensing authority  
2 of that state or a USDA license number.

3 (Source: Laws 1965, p. 2956.)

4 (225 ILCS 605/9) (from Ch. 8, par. 309)

5 Sec. 9. License expiration; display; issuance.

6 (a) Each license shall be issued for the term of one fiscal  
7 year or for such part thereof as remains at the time of the  
8 issuance of the license. Each license shall be renewed during  
9 the month of June of each year. Each license not renewed during  
10 June of each year shall expire on June 30 of that year.

11 (b) A license must be prominently displayed at each place  
12 of business of the licensee. Where the licensee conducts  
13 business at more than one address, branch office licenses shall  
14 be issued on payment of the required fee.

15 (c) Each license shall be signed by the Director of the  
16 Department or his or her designee and shall be issued under the  
17 seal of the Department.

18 (Source: P.A. 79-997.)

19 (225 ILCS 605/10) (from Ch. 8, par. 310)

20 Sec. 10. Grounds for discipline.

21 (a) The Department may refuse to issue or renew or may  
22 suspend or revoke a license on any one or more of the following  
23 grounds:

24 (1) ~~a.~~ Material misstatement or intentional



1        misrepresentation of fact in the application for original  
2        license or in the application for any renewal license under  
3        this Act;

4        (2) ~~b.~~ A violation of this Act or of any regulations or  
5        rules issued pursuant thereto;

6        (3) ~~e.~~ Aiding or abetting another in the violation of  
7        this Act or of any regulation or rule issued pursuant  
8        thereto;

9        (4) ~~d.~~ Allowing one's license under this Act to be used  
10       by an unlicensed person;

11       (5) ~~e.~~ Conviction of any crime an essential element of  
12       which is misstatement, fraud or dishonesty or conviction of  
13       any felony, if the Department determines, after  
14       investigation, that such person has not been sufficiently  
15       rehabilitated to warrant the public trust;

16       (6) ~~f.~~ Conviction of a violation of any law of Illinois  
17       except minor violations such as traffic violations and  
18       violations not related to the disposition of dogs, cats and  
19       other animals or any rule or regulation of the Department  
20       relating to dogs or cats and sale thereof;

21       (7) ~~g.~~ Making substantial misrepresentations or false  
22       promises of a character likely to influence, persuade or  
23       induce in connection with the business of a licensee under  
24       this Act;

25       (8) ~~h.~~ Pursuing a continued course of  
26       misrepresentation of or making false promises through

1 advertising, salesman, agents or otherwise in connection  
2 with the business of a licensee under this Act;

3 (9) ~~i.~~ Failure to possess the necessary qualifications  
4 or to meet the requirements of the Act for the issuance or  
5 holding a license; or

6 (10) ~~j.~~ Proof that the licensee is guilty of gross  
7 negligence, incompetency, or cruelty with regard to  
8 animals.

9 (b) The Department may refuse to issue or may suspend the  
10 license of any person who fails to file a return, or to pay the  
11 tax, penalty, or interest shown in a filed return, or to pay  
12 any final assessment of tax, penalty, or interest, as required  
13 by any tax Act administered by the Illinois Department of  
14 Revenue, until such time as the requirements of any such tax  
15 Act are satisfied.

16 (c) The Department may order any licensee to cease  
17 operation for a period not to exceed 72 hours to correct  
18 deficiencies in order to meet licensing requirements.

19 (Source: P.A. 89-178, eff. 7-19-95; 90-385, eff. 8-15-97;  
20 90-403, eff. 8-15-97.)

21 (225 ILCS 605/16) (from Ch. 8, par. 316)

22 Sec. 16. Surrender of license; transfer of animals.

23 (a) Upon the relinquishment, revocation, or suspension of  
24 any license, the licensee shall forthwith surrender the license  
25 and any branch office licenses to the Department, and if the

1 licensee fails to do so, the Department shall have the right to  
2 seize the same.

3 (b) At the direction of the Department, any licensee whose  
4 license is relinquished, revoked, or placed on suspension for  
5 more than 3 months, has up to one week from the relinquishment,  
6 revocation, or suspension to relinquish ownership and control  
7 of all animals under his or her possession or control to a  
8 facility licensed under this Act. Animals may be relinquished  
9 or transferred to unlicensed persons or facilities only with  
10 written permission from the Department.

11 Failure to comply with this subsection (b) shall result in  
12 the immediate seizure of all the animals by the Department and  
13 transfer of the animals to a licensee or licensees designated  
14 by the Department. A licensee who voluntarily relinquishes his  
15 or her license because he or she no longer desires to be  
16 licensed under this Act and does not meet the requirements for  
17 licensure under this Act shall be exempt from this subsection  
18 (b).

19 (Source: Laws 1965, p. 2956.)

20 (225 ILCS 605/18) (from Ch. 8, par. 318)

21 Sec. 18. Requirements.

22 (a) The licensee shall:

23 (1) ~~a.~~ Maintain sanitary conditions.

24 (2) ~~b.~~ Insure proper ventilation.

25 (3) ~~c.~~ Provide adequate nutrition.

1           (4) ~~e.~~ Provide humane care and treatment of all animals  
2 under his or her jurisdiction.

3           (5) Seek veterinary care for seriously ill or injured  
4 animals, which may include euthanasia.

5           (6) Maintain current rabies vaccination records of all  
6 dogs 16 weeks of age and older in the possession of the  
7 licensee.

8           (7) Maintain records as prescribed by the Department.

9           (8) ~~e.~~ Take reasonable care to release for sale, trade,  
10 or adoption only those animals which are free of disease,  
11 injuries or abnormalities. A health certificate, meeting  
12 the requirements of the Department and issued by a licensed  
13 veterinarian for any such animal within 5 days before such  
14 sale, trade or adoption is prima facie evidence that the  
15 licensee has taken reasonable care, as required by this  
16 paragraph.

17           (b) ~~f.~~ Inspection of the premises of a licensee to  
18 determine compliance with this Act may be made only by the  
19 Department.

20           (Source: P.A. 78-900.)

21           (225 ILCS 605/18.1)

22           Sec. 18.1. Sale or gift of reptiles and other animals.

23           (a) A pet shop shall not sell a reptile, offer a reptile  
24 for sale or adoption, or offer a reptile as a gift or  
25 promotional consideration unless a notice regarding safe

1 reptile-handling practices that meets the requirements in  
2 subsection (b) is (i) prominently displayed at each location in  
3 the pet shop where reptiles are displayed, housed, or held and  
4 (ii) distributed to the purchaser or recipient.

5 (b) The notice regarding safe reptile-handling practices  
6 shall be one of the following:

7 (1) a notice provided at no charge by the Illinois  
8 Department of Public Health; or

9 (2) a notice that has the dimensions of at least 8.5  
10 inches by 11 inches, that uses fonts that are clearly  
11 visible and readily draw attention to the notice, and that  
12 contains all of the following statements:

13 (A) "As with many other animals, reptiles carry  
14 salmonella bacteria, which can make people sick. Safe  
15 reptile-handling steps should be taken to reduce the  
16 chance of infection."

17 (B) "Always wash your hands thoroughly after you  
18 handle your pet reptile, its food, and anything it has  
19 touched."

20 (C) "Keep your pet reptile and its equipment out of  
21 the kitchen or any area where food is prepared. Kitchen  
22 sinks should not be used to bathe reptiles or wash  
23 their dishes, cages, or aquariums. If a bathtub is used  
24 for these purposes, it should be cleaned thoroughly and  
25 disinfected with bleach."

26 (D) "Don't nuzzle or kiss your pet reptile."

1 (E) "Keep reptiles out of homes where there are  
2 children under 5 years of age or people with weakened  
3 immune systems. Children under 5 years of age or people  
4 with weakened immune systems should avoid contact with  
5 reptiles."

6 (F) "Pet reptiles should not be allowed in child  
7 care centers."

8 (G) "Pet reptiles should not be allowed to roam  
9 freely throughout the home or living area."

10 (Source: P.A. 91-741, eff. 1-1-01.)

11 (225 ILCS 605/20) (from Ch. 8, par. 320)

12 Sec. 20. Any person violating any provision of this Act or  
13 any rule, regulation or order of the Department issued pursuant  
14 to this Act is guilty of a Class C misdemeanor ~~and every day a~~  
15 ~~violation continues constitutes a separate offense.~~

16 (Source: P.A. 89-178, eff. 7-19-95.)

17 (225 ILCS 605/20.5)

18 Sec. 20.5. Administrative fines.

19 (a) The following administrative fines ~~may shall~~ be imposed  
20 by the Department upon any person or entity who violates any  
21 provision of this Act or any rule adopted by the Department  
22 under this Act:

23 (1) For the first violation, a fine of \$200.

24 (2) For a second violation that occurs within 3 years

1 after the first violation, a fine of \$500.

2 (3) For a third violation that occurs within 3 years  
3 after the first violation, mandatory probationary status  
4 and a fine of \$1,000.

5 (4) For a fourth violation that occurs within 3 years  
6 after the first violation, a fine of \$5,000 and an  
7 immediate 12-month suspension.

8 (5) For a violation that occurs within 3 years after  
9 any suspension, an immediate revocation of the license and  
10 ban from licensure under this Act for 5 years.

11 (b) Fines shall be paid within 30 days after entry of the  
12 final administrative decision by the Department.

13 (c) A warning may be issued in lieu of a fine if deemed  
14 appropriate by the Department.

15 (Source: P.A. 95-550, eff. 6-1-08.)

16 (225 ILCS 605/21) (from Ch. 8, par. 321)

17 Sec. 21. Fees.

18 (a) The following non-refundable fees shall accompany each  
19 application for a license or permit, which fees shall not be  
20 returnable:

21 (1) Pet shop operator

22 (A) Type I license ..... \$200

23 (B) Type II license ..... \$100

24 (2) Dog breeder

25 (A) Breeder license ..... \$50

1	<u>(B) Large-scale breeder license .....</u>	<u>\$150</u>
2	<u>(3) Cattery operator .....</u>	<u>\$50</u>
3	<u>(4) Dog dealer .....</u>	<u>\$150</u>
4	<u>(5) Dog daycare provider .....</u>	<u>\$150</u>
5	<u>(6) Kennel operator .....</u>	<u>\$150</u>
6	<u>(7) Animal shelter .....</u>	<u>\$100</u>
7	<u>(8) Records-only animal shelter .....</u>	<u>\$100</u>
8	<u>(9) Animal control facility .....</u>	<u>\$50</u>
9	<del>a. for an original license to an individual .....</del>	<del>-\$25</del>
10	<del>b. for an original license to a partnership or</del>	
11	<del>corporation.....</del>	<del>-\$25</del>
12	<del>e. for an annual renewal license .....</del>	<del>-\$25</del>
13	<del>d. for each branch office license .....</del>	<del>-\$25</del>
14	<del>e. for the renewal of any</del>	
15	<del>license not renewed by</del>	
16	<del>July 1 of the year</del>	
17	<del>.....</del>	<del>-\$40</del>
18	<u>(10) <del>f.</del> for a permit for a foster home .....</u>	<u>\$25</u>
19	<u>(11) <del>g.</del> for renewal of a permit for a foster home ....</u>	<u>\$25</u>

20 (b) If multiple licenses are issued to a licensee, then the  
 21 maximum fee charged shall not exceed \$250. If a license is not  
 22 renewed by July 1 of the year, then the renewal fee shall be  
 23 double the initial license fee.

24 (Source: P.A. 89-178, eff. 7-19-95.)



1           Section 10. The Animal Welfare Act is amended by repealing  
2    Section 13."