



Rep. Katherine Cloonen

Filed: 3/14/2013

09800HB0733ham001

LRB098 03561 CEL 42590 a

1 AMENDMENT TO HOUSE BILL 733

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 733 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Domestic Animals Running At Large  
5 Act is amended by changing Sections 1.1 and 1.2 as follows:

6 (510 ILCS 55/1.1) (from Ch. 8, par. 1.1)

7 Sec. 1.1. Definitions. As used in this Act, unless the  
8 context otherwise requires:

9 "Livestock", for the purposes of this Act only, means  
10 bison, cattle, swine, sheep, goats, equidae, camelids,  
11 ratites, or fowl ~~or geese~~.

12 "Owner" means any person who (a) has a right of property in  
13 an animal, (b) keeps or harbors an animal, (c) has an animal in  
14 his care, or (d) acts as custodian of an animal.

15 "Person" means any individual, firm, association,  
16 partnership, corporation, or other legal entity, any public or

1 private institution, the State of Illinois, or any municipal  
2 corporation or political subdivision of the State.

3 "Running at large" or "run at large" means livestock that  
4 strays from confinement or restraint and from the limits of the  
5 owner.

6 (Source: P.A. 84-28.)

7 (510 ILCS 55/1.2) (from Ch. 8, par. 1.2)

8 Sec. 1.2. A notice of a violation of this Act shall be  
9 given to the person or owner of livestock running at large if  
10 known and a maximum of 24 hours may be granted in which to make  
11 the necessary corrections if the violation is an accidental  
12 occurrence and an investigation reveals no identifiable  
13 individual at fault. Any livestock allowed to run at large may  
14 be impounded at a facility capable of restraining such  
15 livestock. A notice of impoundment shall be delivered to the  
16 owner of such livestock in person or by certified mail.

17 Law enforcement officials such as State Police, County  
18 Sheriffs, ~~or~~ municipal police officers, animal control  
19 administrators, animal control officers, or authorized agents  
20 of the Illinois Department of Agriculture, or authorized agents  
21 of the Illinois Department of Natural Resources, or the owner  
22 or occupier of land may give notice and cause stray animals  
23 which trespass to be impounded.

24 The person or persons having stray livestock impounded  
25 shall make every reasonable effort to notify the owner or

1 keeper of the impounded livestock where such livestock is  
2 impounded.

3 The person or persons requesting impoundment shall be held  
4 harmless of any liability for injury to or for any financial  
5 responsibility for such animals.

6 Stray animals may be impounded at any public stockyards,  
7 livestock auction markets or any other facilities willing to  
8 accept such animals for impoundment. The impounding facility  
9 and its owner or owners shall not be held liable for any injury  
10 or accrue any financial responsibility for such impounded  
11 animals.

12 Any expense incurred in such impoundment shall become a  
13 lien on the livestock impounded and must be discharged before  
14 the livestock are released from the facility. The livestock may  
15 be released to the owner prior to the expiration of the  
16 impoundment period if impoundment costs are satisfied and the  
17 owner provides evidence that he is capable of restraining the  
18 livestock from running at large. If the owner refuses or fails  
19 to provide such restraints, or the impounded animals are not  
20 claimed and incurred costs paid within the period of  
21 impoundment, such animals shall be sold either at a public  
22 auction, or through a public stockyard or a livestock auction  
23 market, offered for adoption, or humanely euthanized in  
24 accordance with this Section. Before any livestock can be sold,  
25 offered for adoption, or humanely euthanized as herein  
26 provided, the person requesting the impoundment shall have

1 published notice of the intended sale, adoption, or  
2  euthanization thereof in a newspaper of general circulation in  
3 the area where the impounded animals were found to be running  
4 at large. If the impounded livestock is not claimed within 10  
5 days after the date of publication of such notice, the  
6 livestock may be sold,  offered for adoption, or humanely  
7  euthanized in accordance with this Section. The proceeds of the  
8 sale shall be applied first to discharge the lien  and costs  
9  associated with the sale of the livestock, and any balance  
10 shall be paid to the owner. If any court of competent  
11 jurisdiction issues any order concerning any impounded animal,  
12 such animal shall immediately pass to the jurisdiction and  
13 possession of the court bailiff of the jurisdiction in which  
14 the order was issued.

15  If the lien and costs of the associated sale of the  
16  livestock is determined to exceed the expected value of the  
17  animal, then the animal may be deemed adoptable by the animal  
18  control facility and may be offered for adoption. If no such  
19  placement is available, then the animal may be humanely  
20  euthanized.

21 (Source: P.A. 89-445, eff. 2-7-96.)

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law."