

# HB4961



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

**HB4961**

Introduced 2/5/2016, by Rep. Thomas Bennett

#### SYNOPSIS AS INTRODUCED:

510 ILCS 70/3.01

from Ch. 8, par. 703.01

Amends the Humane Care for Animals Act. Provides that no person may tail dock a dog without a veterinarian attesting that the procedure is medically necessary. Provides that a violation of this provision is a Class A misdemeanor for the first conviction, and a second or subsequent conviction is a Class 4 felony.

LRB099 16302 MGM 40633 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 3.01 as follows:

6 (510 ILCS 70/3.01) (from Ch. 8, par. 703.01)

7 Sec. 3.01. Cruel treatment.

8 (a) No person or owner may beat, cruelly treat, torment,  
9 starve, overwork or otherwise abuse any animal.

10 (b) No owner may abandon any animal where it may become a  
11 public charge or may suffer injury, hunger or exposure.

12 (c) No owner of a dog or cat that is a companion animal may  
13 expose the dog or cat in a manner that places the dog or cat in  
14 a life-threatening situation for a prolonged period of time in  
15 extreme heat or cold conditions that results in injury to or  
16 death of the animal.

17 (d) No person may tail dock a dog without a veterinarian  
18 attesting that the procedure is medically necessary.

19 (e) ~~(e)~~ A person convicted of violating this Section is  
20 guilty of a Class A misdemeanor. A second or subsequent  
21 conviction for a violation of this Section is a Class 4 felony.  
22 In addition to any other penalty provided by law, a person who  
23 is convicted of violating subsection (a) upon a companion

1 animal in the presence of a child, as defined in Section 12-0.1  
2 of the Criminal Code of 2012, shall be subject to a fine of  
3 \$250 and ordered to perform community service for not less than  
4 100 hours. In addition to any other penalty provided by law,  
5 upon conviction for violating this Section, the court may order  
6 the convicted person to undergo a psychological or psychiatric  
7 evaluation and to undergo any treatment at the convicted  
8 person's expense that the court determines to be appropriate  
9 after due consideration of the evidence. If the convicted  
10 person is a juvenile or a companion animal hoarder, the court  
11 must order the convicted person to undergo a psychological or  
12 psychiatric evaluation and to undergo treatment that the court  
13 determines to be appropriate after due consideration of the  
14 evaluation.

15 (Source: P.A. 99-311, eff. 1-1-16; 99-357, eff. 1-1-16; revised  
16 10-20-15.)