



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3184

Introduced 2/17/2023, by Rep. Tom Weber

SYNOPSIS AS INTRODUCED:

510 ILCS 70/4.04

from Ch. 8, par. 704.04

Provides that the Act may be referred to as Draco's Law. Amends the Humane Care for Animals Act. Provides that a person convicted of willfully or maliciously torture, mutilate, injure, disable, poison, or kill (1) any animal used by a law enforcement department or agency in the performance of the functions or duties of the department or agency or when placed in confinement off duty, (2) any search and rescue dog, (3) any law enforcement, service, or search and rescue animal in training, or (4) any accelerant detection canine used by a fire officer for arson investigations in the performance of his or her functions or while off duty is guilty of a Class 3 felony if the animal is not killed or totally disabled. Provides that if the animal is killed or totally disabled, a person convicted of the violation is guilty of a Class 2 felony. Provides that if the offender is convicted of the violation, the offender shall be responsible for any veterinarian bills for an animal that was injured, and training costs for another animal, if the animal injured or killed is no longer able to be in service. Provides that a person does not violate these provisions if the animal used by a law enforcement department or agency was used against the person in violation of the law enforcement department or agency's use of force continuum or policy.

LRB103 30279 RLC 56707 b

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

5 Section 5. The Humane Care for Animals Act is amended by
6 changing Section 4.04 as follows:

7 (510 ILCS 70/4.04) (from Ch. 8, par. 704.04)

8 Sec. 4.04. Injuring or killing police animals, service
9 animals, accelerant detection dogs, or search and rescue dogs
10 prohibited.

11 (a) It shall be unlawful for any person to willfully or
12 maliciously torture, mutilate, injure, disable, poison, or
13 kill (i) any animal used by a law enforcement department or
14 agency in the performance of the functions or duties of the
15 department or agency or when placed in confinement off duty,
16 (ii) any service animal, (iii) any search and rescue dog, (iv)
17 any law enforcement, service, or search and rescue animal in
18 training, or (v) any accelerant detection canine used by a
19 fire officer for arson investigations in the performance of
20 his or her functions or while off duty. However, a police
21 officer or veterinarian may perform euthanasia in emergency
22 situations when delay would cause the animal undue suffering

1 and pain.

2 (b) A person convicted of violating clause (ii) of
3 subsection (a) of this Section is guilty of a Class 4 felony if
4 the animal is not killed or totally disabled; if the animal is
5 killed or totally disabled, the person is guilty of a Class 3
6 felony. A person convicted of violating clause (i), (iii),
7 (iv), or (v) of subsection (a) of this Section is guilty of a
8 Class 3 felony if the animal is not killed or totally disabled.
9 If the animal is killed or totally disabled, a person
10 convicted of violating clause (i), (iii), (iv), or (v) of
11 subsection (a) of this Section is guilty of a Class 2 felony.

12 (c) If the offender is convicted of violating clause (i),
13 (iii), (iv), or (v) of subsection (a) of this Section, the
14 offender shall be responsible for any veterinarian bills for
15 an animal that was injured, and training costs for another
16 animal, if the animal injured or killed is no longer able to be
17 in service.

18 (d) A person does not violate clause (i), (iii), (iv), or
19 (v) of subsection (a) of this Section if the animal used by a
20 law enforcement department or agency was used against the
21 person in violation of the law enforcement department or
22 agency's use of force continuum or policy.

23 (Source: P.A. 95-331, eff. 8-21-07; 95-560, eff. 8-30-07;
24 96-1171, eff. 7-22-10.)