

1 AN ACT to amend the Humane Care for Animals Act by adding  
2 Section 4.05 and changing Section 16.

3 Be it enacted by the People of the State of Illinois,  
4 represented in the General Assembly:

5 Section 5. The Humane Care for Animals Act is amended by  
6 adding Section 4.05 and changing Section 16 as follows:

7 (510 ILCS 70/4.05 new)

8 Sec. 4.05. Greyhound race simulcast prohibited. No  
9 person shall transmit or receive interstate or intrastate  
10 simulcasting of greyhound races for commercial purposes in  
11 this State.

12 (510 ILCS 70/16) (from Ch. 8, par. 716)

13 Sec. 16. Violations; punishment; injunctions.

14 (a) Any person convicted of violating Sections 5, 5.01,  
15 or 6 of this Act or any rule, regulation, or order of the  
16 Department pursuant thereto, is guilty of a Class C  
17 misdemeanor.

18 (b)(1) This subsection (b) does not apply where the  
19 only animals involved in the violation are dogs.

20 (2) Any person convicted of violating subsection  
21 (a), (b), (c) or (h) of Section 4.01 of this Act or any  
22 rule, regulation, or order of the Department pursuant  
23 thereto, is guilty of a Class A misdemeanor.

24 (3) A second or subsequent offense involving the  
25 violation of subsection (a), (b) or (c) of Section 4.01  
26 of this Act or any rule, regulation, or order of the  
27 Department pursuant thereto is a Class 4 felony.

28 (4) Any person convicted of violating subsection  
29 (d), (e) or (f) of Section 4.01 of this Act or any rule,  
30 regulation, or order of the Department pursuant thereto,

1 is guilty of a Class B misdemeanor.

2 (5) Any person convicted of violating subsection  
3 (g) of Section 4.01 of this Act or any rule, regulation,  
4 or order of the Department pursuant thereto is guilty of  
5 a Class C misdemeanor.

6 (c)(1) This subsection (c) applies exclusively  
7 where the only animals involved in the violation are  
8 dogs.

9 (2) Any person convicted of violating subsection  
10 (a), (b) or (c) of Section 4.01 of this Act or any rule,  
11 regulation or order of the Department pursuant thereto is  
12 guilty of a Class 4 felony and may be fined an amount not  
13 to exceed \$50,000.

14 (3) Any person convicted of violating subsection  
15 (d), (e) or (f) of Section 4.01 of this Act or any rule,  
16 regulation or order of the Department pursuant thereto is  
17 guilty of Class A misdemeanor, if such person knew or  
18 should have known that the device or equipment under  
19 subsection (d) or (e) of that Section or the site,  
20 structure or facility under subsection (f) of that  
21 Section was to be used to carry out a violation where the  
22 only animals involved were dogs. Where such person did  
23 not know or should not reasonably have been expected to  
24 know that the only animals involved in the violation were  
25 dogs, the penalty shall be same as that provided for in  
26 paragraph (4) of subsection (b).

27 (4) Any person convicted of violating subsection  
28 (g) of Section 4.01 of this Act or any rule, regulation  
29 or order of the Department pursuant thereto is guilty of  
30 a Class C misdemeanor.

31 (5) A second or subsequent violation of subsection  
32 (a), (b) or (c) of Section 4.01 of this Act or any rule,  
33 regulation or order of the Department pursuant thereto is  
34 a Class 3 felony. A second or subsequent violation of

1 subsection (d), (e) or (f) of Section 4.01 of this Act or  
2 any rule, regulation or order of the Department adopted  
3 pursuant thereto is a Class 3 felony, if in each  
4 violation the person knew or should have known that the  
5 device or equipment under subsection (d) or (e) of that  
6 Section or the site, structure or facility under  
7 subsection (f) of that Section was to be used to carry  
8 out a violation where the only animals involved were  
9 dogs. Where such person did not know or should not  
10 reasonably have been expected to know that the only  
11 animals involved in the violation were dogs, a second or  
12 subsequent violation of subsection (d), (e) or (f) of  
13 Section 4.01 of this Act or any rule, regulation or order  
14 of the Department adopted pursuant thereto is a Class A  
15 misdemeanor. A second or subsequent violation of  
16 subsection (g) is a Class B misdemeanor.

17 (6) Any person convicted of violating Section 3.01  
18 of this Act is guilty of a Class C misdemeanor. A second  
19 conviction for a violation of Section 3.01 is a Class B  
20 misdemeanor. A third or subsequent conviction for a  
21 violation of Section 3.01 is a Class A misdemeanor.

22 (7) Any person convicted of violating Section 4.03  
23 is guilty of a Class B misdemeanor.

24 (8) Any person convicted of violating Section 4.04  
25 is guilty of a Class A misdemeanor where the animal is  
26 not killed or totally disabled, but if the animal is  
27 killed or totally disabled such person shall be guilty of  
28 a Class 4 felony.

29 (8.5) A person convicted of violating subsection  
30 (a) of Section 7.15 is guilty of a Class B misdemeanor.  
31 A person convicted of violating subsection (b) or (c) of  
32 Section 7.15 is (i) guilty of a Class A misdemeanor if  
33 the dog is not killed or totally disabled and (ii) if the  
34 dog is killed or totally disabled, guilty of a Class 4

1 felony and may be ordered by the court to make  
2 restitution to the disabled person having custody or  
3 ownership of the dog for veterinary bills and replacement  
4 costs of the dog.

5 (9) Any person convicted of violating any other  
6 provision of this Act, or any rule, regulation, or order  
7 of the Department pursuant thereto, is guilty of a Class  
8 C misdemeanor with every day that a violation continues  
9 constituting a separate offense.

10 (10) A person convicted of violating Section 4.05  
11 is guilty of a Class A misdemeanor.

12 (d) Any person convicted of violating Section 7.1 is  
13 guilty of a petty offense. A second or subsequent conviction  
14 for a violation of Section 7.1 is a Class C misdemeanor.

15 (e) Any person convicted of violating Section 3.02 is  
16 guilty of a Class A misdemeanor. A second or subsequent  
17 violation is a Class 4 felony.

18 (f) The Department may enjoin a person from a continuing  
19 violation of this Act.

20 (g) Any person convicted of violating Section 3.03 is  
21 guilty of a Class 4 felony. A second or subsequent offense  
22 is a Class 3 felony. As a condition of the sentence imposed  
23 under this Section, the court shall order the offender to  
24 undergo a psychological or psychiatric evaluation and to  
25 undergo treatment that the court determines to be appropriate  
26 after due consideration of the evaluation.

27 (Source: P.A. 90-14, eff. 7-1-97; 90-80, eff. 7-10-97;  
28 91-291, eff. 1-1-00; 91-351, eff. 7-29-99; 91-357, eff.  
29 7-29-99; revised 8-30-99.)