

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 adding Section 3.03-1 as follows:

6 (510 ILCS 70/3.03-1 new)

7 Sec. 3.03-1. Depiction of animal cruelty.

8 (a) "Depiction of animal cruelty" means any visual or
9 auditory depiction, including any photograph, motion-picture
10 film, video recording, electronic image, or sound recording,
11 that would constitute a violation of Section 3.01, 3.02,
12 3.03, or 4.01 of the Humane Care for Animals Act or Section
13 26-5 of the Criminal Code of 1961.

14 (b) No person may knowingly create, sell, market, offer
15 to market or sell, or possess a depiction of animal cruelty.
16 No person may place that depiction in commerce for commercial
17 gain or entertainment. This Section does not apply when the
18 depiction has serious religious, political, scientific,
19 educational, law enforcement or humane investigator training,
20 journalistic, or historical value.

21 The creation, sale, marketing, offering to sell or
22 market, or possession of the depiction of animal cruelty is
23 illegal regardless of whether the maiming, mutilation,
24 torture, wounding, abuse, killing, or any other conduct took
25 place in this State.

26 (c) Any person convicted of violating this Section is
27 guilty of a Class A misdemeanor. A second or subsequent
28 violation is a Class 4 felony. In addition to any other
29 penalty provided by law, upon conviction for violating this
30 Section, the court may order the convicted person to undergo
31 a psychological or psychiatric evaluation and to undergo any

1 treatment at the convicted person's expense that the court
2 determines to be appropriate after due consideration of the
3 evaluation. If the convicted person is a juvenile, the court
4 must order the convicted person to undergo a psychological or
5 psychiatric evaluation and to undergo treatment that the
6 court determines to be appropriate after due consideration of
7 the evaluation.