



1 Medicine and Surgery Practice Act of 1994 shall not be  
2 considered a pet shop operator under this Act.

3 "Dog dealer" means any person who sells, offers to sell,  
4 exchange, or offers for adoption with or without charge or  
5 donation dogs in this State. However, a person who sells only  
6 dogs that he has produced and raised shall not be considered  
7 a dog dealer under this Act, and a veterinary hospital or  
8 clinic operated by a veterinarian or veterinarians licensed  
9 under the Veterinary Medicine and Surgery Practice Act of  
10 1994 shall not be considered a dog dealer under this Act.

11 "Secretary of Agriculture" or "Secretary" means the  
12 Secretary of Agriculture of the United States Department of  
13 Agriculture.

14 "Person" means any person, firm, corporation,  
15 partnership, association or other legal entity, any public or  
16 private institution, the State of Illinois, or any municipal  
17 corporation or political subdivision of the State.

18 "Kennel operator" means any person who operates an  
19 establishment, other than an animal control facility,  
20 veterinary hospital, or animal shelter, where dogs or dogs  
21 and cats are maintained for boarding, training or similar  
22 purposes for a fee or compensation; or who sells, offers to  
23 sell, exchange, or offers for adoption with or without charge  
24 dogs or dogs and cats which he has produced and raised. A  
25 person who owns, has possession of, or harbors 5 or less  
26 females capable of reproduction shall not be considered a  
27 kennel operator.

28 "Cattery operator" means any person who operates an  
29 establishment, other than an animal control facility or  
30 animal shelter, where cats are maintained for boarding,  
31 training or similar purposes for a fee or compensation; or  
32 who sells, offers to sell, exchange, or offers for adoption  
33 with or without charges cats which he has produced and  
34 raised. A person who owns, has possession of, or harbors 5

1 or less females capable of reproduction shall not be  
2 considered a cattery operator.

3 "Animal control facility" means any facility operated by  
4 or under contract for the State, county, or any municipal  
5 corporation or political subdivision of the State for the  
6 purpose of impounding or harboring seized, stray, homeless,  
7 abandoned or unwanted dogs, cats, and other animals. "Animal  
8 control facility" also means any veterinary hospital or  
9 clinic operated by a veterinarian or veterinarians licensed  
10 under the Veterinary Medicine and Surgery Practice Act of  
11 1994 which operates for the above mentioned purpose in  
12 addition to its customary purposes.

13 "Animal shelter" means a facility operated, owned, or  
14 maintained by a duly incorporated humane society, animal  
15 welfare society, or other non-profit organization for the  
16 purpose of providing for and promoting the welfare,  
17 protection, and humane treatment of animals. "Animal  
18 shelter" also means any veterinary hospital or clinic  
19 operated by a veterinarian or veterinarians licensed under  
20 the Veterinary Medicine and Surgery Practice Act of 1994  
21 which operates for the above mentioned purpose in addition to  
22 its customary purposes.

23 "Foster home" means an entity that accepts the  
24 responsibility for stewardship of animals that are the  
25 obligation of an animal shelter, not to exceed 4 animals at  
26 any given time. Permits to operate as a "foster home" shall  
27 be issued through the animal shelter.

28 "Guard dog service" means an entity that, for a fee,  
29 furnishes or leases guard or sentry dogs for the protection  
30 of life or property. A person is not a guard dog service  
31 solely because he or she owns a dog and uses it to guard his  
32 or her home, business, or farmland.

33 "Guard dog" means a type of dog used primarily for the  
34 purpose of defending, patrolling, or protecting property or

1 life at a commercial establishment other than a farm. "Guard  
2 dog" does not include stock dogs used primarily for handling  
3 and controlling livestock or farm animals, nor does it  
4 include personally owned pets that also provide security.

5 "Sentry dog" means a dog trained to work without  
6 supervision in a fenced facility other than a farm, and to  
7 deter or detain unauthorized persons found within the  
8 facility.

9 "Dog day care facility" means a facility that regularly  
10 provides day care for less than 24 hours per day for dogs for  
11 a fee or compensation.

12 (Source: P.A. 89-178, eff. 7-19-95; 90-385, eff. 8-15-97;  
13 90-403, eff. 8-15-97.)

14 (225 ILCS 605/3) (from Ch. 8, par. 303)

15 Sec. 3. No person shall engage in business as a pet shop  
16 operator, dog dealer, kennel operator, cattery operator, or  
17 operate a guard dog service, an animal control facility or  
18 animal shelter or any combination thereof, in this State  
19 without a license therefor issued by the Department.

20 Beginning January 1, 2002, no person shall operate a dog day  
21 care facility without a license issued by the Department.

22 Only one license shall be required for any combination of  
23 businesses at one location, except that a separate license  
24 shall be required to operate a guard dog service or,  
25 beginning January 1, 2002, a dog day care facility. Guard  
26 dog services that are located outside this State but provide  
27 services within this State are required to obtain a license  
28 from the Department. Out-of-state guard dog services are  
29 required to comply with the requirements of this Act with  
30 regard to guard dogs and sentry dogs transported to or used  
31 within this State.

32 (Source: P.A. 89-178, eff. 7-19-95.)

1 (225 ILCS 605/6.6 new)

2 Sec. 6.6. Dog day care facilities.

3 (a) The Department may promulgate rules regulating dog  
4 day care facilities. Rules regarding the maximum number of  
5 dogs that a dog day care facility may accept shall be based  
6 on the size of the facility and the number of attendants and  
7 shall take into consideration the health and welfare of the  
8 animals involved. The Department shall promulgate rules to  
9 develop sanitary standards for facilities.

10 (b) A dog enrolled in a dog day care facility may be  
11 commingled with other dogs if the owner of the dog provides a  
12 certificate of health and proof of vaccination against  
13 distemper, rabies, the parvo virus, and other communicable  
14 diseases, parasites, or viruses as specified by rule of the  
15 Department.

16 (c) The vaccination records of a dog enrolled in a dog  
17 day care facility must be current and in compliance with all  
18 vaccination requirements of law for the boarding of dogs.

19 (d) The owner or operator of a dog day care facility  
20 must have knowledge of each animal's disposition and special  
21 temperaments. The owner or operator shall have knowledge of  
22 the animal's usual diet. The owner of the animal, however,  
23 has the responsibility of providing the dog day care facility  
24 with food for the animal.

25 (e) Nothing in this Section shall prevent a unit of  
26 local government from requiring a dog day care facility from  
27 obtaining a proper land use permit before commencing  
28 operations.

29 (f) Nothing in this Section shall interfere with a  
30 person's ability to bring a common law nuisance claim against  
31 a dog day care facility.

32 (g) The Department is not liable for injury that occurs  
33 while on the premises of a dog day care facility."; and

34 on page 2, below line 21, by inserting the following:

1           "Section 99. Effective date. This Act takes effect upon  
2    becoming law."