Sec. 14-2. Elements of the offense; affirmative defense.

(a) A person commits eavesdropping when he or she knowingly and intentionally:

(1) Uses an eavesdropping device, in a surreptitious manner, for the purpose of overhearing, transmitting, or recording all or any part of any private conversation to which he or she is not a party unless he or she does so with the consent of all of the parties to the private conversation;

(2) Uses an eavesdropping device, in a surreptitious manner, for the purpose of transmitting or recording all or any part of any private conversation to which he or she is a party unless he or she does so with the consent of all other parties to the private conversation;

(3) Intercepts, records, or transcribes, in a surreptitious manner, any private electronic communication to which he or she is not a party unless he or she does so with the consent of all parties to the private electronic communication;

(4) Manufactures, assembles, distributes, or possesses any electronic, mechanical, eavesdropping, or other device knowing that or having reason to know that the design of the device renders it primarily useful for the purpose of the surreptitious overhearing, transmitting, or recording of private conversations or the interception, or transcription of private electronic communications and the intended or actual use of the device is contrary to the provisions of this Article; or

(5) Uses or discloses any information which he or she knows or reasonably should know was obtained from a private conversation or private electronic communication in violation of this Article, unless he or she does so with the consent of all of the parties.
(a-5) It does not constitute a violation of this Article to surreptitiously use an eavesdropping device to overhear, transmit, or record a private conversation, or to surreptitiously intercept, record, or transcribe a private electronic communication, if the overhearing, transmitting, recording, interception, or transcription is done in accordance with Article 108A or Article 108B of the Code of Criminal Procedure of 1963.

(b) It is an affirmative defense to a charge brought under this Article relating to the interception of a privileged communication that the person charged:

1. was a law enforcement officer acting pursuant to an order of interception, entered pursuant to Section 108A-1 or 108B-5 of the Code of Criminal Procedure of 1963; and

2. at the time the communication was intercepted, the officer was unaware that the communication was privileged; and

3. stopped the interception within a reasonable time after discovering that the communication was privileged; and

4. did not disclose the contents of the communication.

(c) It is not unlawful for a manufacturer or a supplier of eavesdropping devices, or a provider of wire or electronic communication services, their agents, employees, contractors, or vendors to manufacture, assemble, sell, or possess an eavesdropping device within the normal course of their business for purposes not contrary to this Article or for law enforcement officers and employees of the Illinois Department of Corrections to manufacture, assemble, purchase, or possess an eavesdropping device in preparation for or within the course of their official duties.

(d) The interception, recording, or transcription of an electronic communication by an employee of a penal institution is not prohibited under this Act, provided that the interception, recording, or transcription is:

(1) otherwise legally permissible under Illinois law;

(2) conducted with the approval of the penal institution for the purpose of investigating or enforcing a State criminal law or a penal institution rule or regulation with respect to inmates in the institution; and

(3) within the scope of the employee's official duties.

For the purposes of this subsection (d), "penal institution" has the meaning ascribed to it in clause (c)(1) of Section 31A-1.1.

(e) Nothing in this Article shall prohibit any individual, not a law enforcement officer, from recording a law enforcement officer in the performance of his or her duties in a public place or in circumstances in which the officer has no reasonable expectation of privacy. However, an officer may take reasonable action to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations, and protect the public safety and order.

(Source: P.A. 98-1142, eff. 12-30-14; 99-352, eff. 1-1-16.)
Sec. 3. Owner's duties.

(a) Each owner shall provide for each of his or her animals:

(1) a sufficient quantity of good quality, wholesome food and water;
(2) adequate shelter and protection from the weather;
(3) veterinary care when needed to prevent suffering; and
(4) humane care and treatment.

(b) To lawfully tether a dog outdoors, an owner must ensure that the dog:

(1) does not suffer from a condition that is known, by that person, to be exacerbated by tethering;
(2) is tethered in a manner that will prevent it from becoming entangled with other tethered dogs;
(3) is not tethered with a lead that (i) exceeds one-eighth of the dog's body weight or (ii) is a tow chain or a log chain;
(4) is tethered with a lead that measures, when rounded to the nearest whole foot, at least 10 feet in length;
(5) is tethered with a properly fitting harness or collar other than the lead or a pinch, prong, or choke-type collar; and
(6) is not tethered in a manner that will allow it to reach within the property of another person, a public walkway, or a road.

(c) Subsection (b) of this Section shall not be construed to prohibit:

(1) a person from walking a dog with a hand-held leash;
(2) conduct that is directly related to the cultivating of agricultural products, including shepherding or herding cattle or livestock, if the restraint is reasonably necessary for the safety of the dog;
(3) the tethering of a dog while at an organized and lawful animal function, such as hunting, obedience training, performance and conformation events, or law enforcement training, or while in the pursuit of working or competing in those endeavors; or
(4) a dog restrained in compliance with the requirements of a camping or recreational area as defined by a federal, State, or local authority or jurisdiction.

(d) A person convicted of violating subsection (a) of this Section is guilty of a Class B misdemeanor. A second or subsequent violation of subsection (a) of this Section is a Class 4 felony with every day that a violation continues constituting a separate offense. In addition to any other penalty provided by law, upon conviction for violating subsection (a) of this Section, the court may order the convicted person to undergo a psychological or psychiatric evaluation and to undergo any treatment at the convicted person's expense that the court determines to be appropriate after due consideration of the evaluation. If the convicted person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.

(e) A person convicted of violating subsection (b) of this Section is guilty of a Class B misdemeanor.

(f) As used in this Section, "tether" means to restrain by tying to an object or structure, including, without limitation, a house, tree, fence, post, garage, shed, or
clothes line at a person's residence or business, by any
means, including, without limitation, a chain, rope, cord,
leash, or running line.
(Source: P.A. 98-101, eff. 1-1-14.)

(510 ILCS 70/3.01) (from Ch. 9, par. 703.01)
Sec. 3.01. Cruel treatment.
(a) No person or owner may beat, cruelly treat, torment,
starve, overwork or otherwise abuse any animal.
(b) No owner may abandon any animal where it may become a
public charge or may suffer injury, hunger or exposure.
(c) No owner of a dog or cat that is a companion animal
may expose the dog or cat in a manner that places the dog or
cat in a life-threatening situation for a prolonged period of
time in extreme heat or cold conditions that:
(1) results in injury to or death of the animal; or
(2) results in hyperthermia, hypothermia, frostbite,
or similar condition as diagnosed by a doctor of
veterinary medicine.
(c-5) Nothing in this Section shall prohibit an animal
from being impounded in an emergency situation under
subsection (b) of Section 12 of this Act.
(d) A person convicted of violating this Section is guilty
of a Class A misdemeanor. A second or subsequent conviction
for a violation of this Section is a Class 4 felony. In
addition to any other penalty provided by law, a person who is
convicted of violating subsection (a) upon a companion animal
in the presence of a child, as defined in Section 12-0.1 of
the Criminal Code of 2012, shall be subject to a fine of $250
and ordered to perform community service for not less than 100
hours. In addition to any other penalty provided by law, upon
conviction for violating this Section, the court may order the
convicted person to undergo a psychological or psychiatric
evaluation and to undergo any treatment at the convicted
person's expense that the court determines to be appropriate
after due consideration of the evidence. If the convicted
person is a juvenile or a companion animal hoarder, the court
must order the convicted person to undergo a psychological or
psychiatric evaluation and to undergo treatment that the court
determines to be appropriate after due consideration of the
evaluation.
(Source: P.A. 99-311, eff. 1-1-16; 99-357, eff. 1-1-16; 99-
642, eff. 7-28-16; 99-782, eff. 8-12-16.)

(510 ILCS 70/3.02)
Sec. 3.02. Aggravated cruelty.
(a) No person may intentionally commit an act that causes
a companion animal to suffer serious injury or death.
Aggravated cruelty does not include euthanasia of a companion
animal through recognized methods approved by the Department
of Agriculture unless prohibited under subsection (b).
(b) No individual, except a licensed veterinarian as
exempted under Section 3.09, may knowingly or intentionally
euthanize or authorize the euthanasia of a companion animal by
use of carbon monoxide.
(c) A person convicted of violating Section 3.02 is guilty
of a Class 4 felony. A second or subsequent violation is a
Class 3 felony. In addition to any other penalty provided by
law, upon conviction for violating this Section, the court may
order the convicted person to undergo a psychological or
psychiatric evaluation and to undergo any treatment at the
convicted person's expense that the court determines to be
appropriate after due consideration of the evaluation. If the
convicted person is a juvenile or a companion animal hoarder,
the court must order the convicted person to undergo a
psychological or psychiatric evaluation and to undergo
treatment that the court determines to be appropriate after due consideration of the evaluation.
(Source: P.A. 96-780, eff. 8-28-09.)

(510 ILCS 70/3.03)
Sec. 3.03. Animal torture.
(a) A person commits animal torture when that person without legal justification knowingly or intentionally tortures an animal. For purposes of this Section, and subject to subsection (b), "torture" means infliction of or subject to extreme physical pain, motivated by an intent to increase or prolong the pain, suffering, or agony of the animal.
(b) For the purposes of this Section, "animal torture" does not include any death, harm, or injury caused to any animal by any of the following activities:
   (1) any hunting, fishing, trapping, or other activity allowed under the Wildlife Code, the Wildlife Habitat Management Areas Act, or the Fish and Aquatic Life Code;
   (2) any alteration or destruction of any animal done by any person or unit of government pursuant to statute, ordinance, court order, or the direction of a licensed veterinarian;
   (3) any alteration or destruction of any animal by any person for any legitimate purpose, including, but not limited to: castration, culling, declawing, defanging, ear cropping, euthanasia, gelding, grooming, neutering, poll, shearing, shearing, slaughtering, spaying, tail docking, and vivisection; and
   (4) any other activity that may be lawfully done to an animal.
(c) A person convicted of violating this Section is guilty of a Class 3 felony. As a condition of the sentence imposed under this Section, the court shall order the offender to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.
(Source: P.A. 91-351, eff. 7-29-99; 92-650, eff. 7-11-02.)