

AN ACT concerning horses.

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

Section 5. The Illinois Horse Meat Act is amended by adding Section 1.5 as follows:

(225 ILCS 635/1.5 new)

Sec. 1.5. Slaughter for human consumption unlawful.

(a) Notwithstanding any other provision of law, it is unlawful for any person to slaughter a horse if that person knows or should know that any of the horse meat will be used for human consumption.

(b) Notwithstanding any other provision of law, it is unlawful for any person to possess, to import into or export from this State, or to sell, buy, give away, hold, or accept any horse meat if that person knows or should know that the horse meat will be used for human consumption.

(c) Any person who knowingly violates any of the provisions of this Section is guilty of a Class C misdemeanor.

(d) This Section shall not apply to:

(1) Any commonly accepted noncommercial, recreational, or sporting activity.

(2) Any existing laws which relate to horse taxes or zoning.

(3) The processing of food producing animals other than those of the equine genus.

(225 ILCS 635/14 rep.) (from Ch. 56 1/2, par. 253)

Section 7. The Illinois Horse Meat Act is amended by repealing Section 14.

Section 10. The Animals Intended for Food Act is amended by changing Section 2.1 as follows:

(410 ILCS 605/2.1) (from Ch. 8, par. 107.1)

Sec. 2.1. When in the interest of the general public and in the opinion of the Department of Agriculture it is deemed advisable, the Department has authority to quarantine or restrict any and all animals intended for human consumption that contain poisonous or deleterious substances which may render meat or meat products or poultry or poultry products from such animals or poultry injurious to health; except in case the quantity of such substances in such animals does not ordinarily render meat or meat products or poultry or poultry products from such animals injurious to health.

The Department or its duly authorized agent shall investigate or cause to be investigated all cases where it has reason to believe that animals intended for human consumption are contaminated with any poisonous or deleterious substance which may render them unfit for human consumption.

The Department or its duly designated agent in performing the duties vested in it under this Act is empowered to enter any premises, barns, stables, sheds, or other places for the purposes of administering this Act.

The Department may allow the sale or transfer of animals under quarantine or restriction subject to reasonable rules and regulations as may be prescribed.

For the purposes of this Act, the term "Animal" means cattle, calves, sheep, swine, ~~horses, mules or other equidae,~~ goats, poultry and any other animal which can be or may be used in and for meat or poultry or their products for human consumption.

(Source: P.A. 77-2117.)

Section 15. The Illinois Equine Infectious Anemia Control Act is amended by changing Section 4 as follows:

(510 ILCS 65/4) (from Ch. 8, par. 954)

Sec. 4. Tests of equidae entering the State. All equidae more than 12 months of age entering the State for any reason ~~other than for immediate slaughter~~ shall be accompanied by a Certificate of Veterinary Inspection issued by an accredited veterinarian of the state of origin within 30 days prior to entry and shall be negative to an official test for EIA within one year prior to entry. ~~Equidae entering the State for immediate slaughter shall be accompanied by a consignment~~

~~direct to slaughter at an approved equine slaughtering establishment.~~

(Source: P.A. 86-223.)

Section 20. The Humane Care for Animals Act is amended by changing Sections 5 and 7.5 as follows:

(510 ILCS 70/5) (from Ch. 8, par. 705)

Sec. 5. Lamé or disabled horses. No person shall sell, offer to sell, lead, ride, transport, or drive on any public way any equidae which, because of debility, disease, lameness or any other cause, could not be worked in this State without violating this Act, ~~unless the equidae is being sold, transported, or housed with the intent that it will be moved in an expeditious and humane manner to an approved slaughtering establishment.~~ Such equidae may be conveyed to a proper place for medical or surgical treatment or for humane keeping or euthanasia, ~~or for slaughter in an approved slaughtering establishment.~~

A person convicted of violating this Section or any rule, regulation, or order of the Department pursuant thereto is guilty of a Class A misdemeanor. A second or subsequent violation is a Class 4 felony.

(Source: P.A. 92-650, eff. 7-11-02.)

(510 ILCS 70/7.5)

Sec. 7.5. Downed animals.

(a) For the purpose of this Section a downed animal is one incapable of walking without assistance.

(b) No downed animal shall be sent to a stockyard, auction, or other facility where its impaired mobility may result in suffering. An injured animal other than those of the equine genus may be sent directly to a slaughter facility.

(c) A downed animal sent to a stockyard, auction, or other facility in violation of this Section shall be humanely euthanized, the disposition of such animal shall be the responsibility of the owner, and the owner shall be liable for any expense incurred.

If an animal becomes downed in transit it shall be the responsibility of the carrier.

(d) A downed animal shall not be transported unless individually segregated.

(e) A person convicted of violating this Section or any rule, regulation, or order of the Department pursuant thereto is guilty of a Class B misdemeanor. A second or subsequent violation is a Class 4 felony, with every day that a violation continues constituting a separate offense.

(Source: P.A. 92-650, eff. 7-11-02.)

Section 25. The Humane Slaughter of Livestock Act is amended by changing Section 2 as follows:

(510 ILCS 75/2) (from Ch. 8, par. 229.52)

Sec. 2. As used in this Act:

(1) "Director" means the Director of the Department of Agriculture of the State of Illinois.

(2) "Person" means any individual, partnership, corporation, or association doing business in this State, in whole or in part.

(3) "Slaughterer" means any person regularly engaged in the commercial slaughtering of livestock.

(4) "Livestock" means cattle, calves, sheep, swine, horses, mules, goats, and any other animal which can or may be used in and for the preparation of meat or meat products for consumption by human beings or animals. "Livestock", however, does not include horses, mules, or other equidae to be used in and for the preparation of meat or meat products for consumption by human beings, which is prohibited under Section 1.5 of the Illinois Horse Meat Act.

(5) "Packer" means any person engaged in the business of slaughtering or manufacturing or otherwise preparing meat or meat products for sale, either by such person or others; or of manufacturing or preparing livestock products for sale by such person or others.

(6) "Humane method" means either (a) a method whereby the animal is rendered insensible to pain by gunshot or by mechanical, electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast or

cut; or (b) a method in accordance with ritual requirements of the Jewish faith or any other religious faith whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

(Source: Laws 1967, p. 2023.)

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

INDEX

Statutes amended in order of appearance

225 ILCS 635/1.5 new

225 ILCS 635/14 rep. from Ch. 56 1/2, par. 253

410 ILCS 605/2.1 from Ch. 8, par. 107.1

510 ILCS 65/4 from Ch. 8, par. 954

510 ILCS 70/5 from Ch. 8, par. 705

510 ILCS 70/7.5

510 ILCS 75/2 from Ch. 8, par. 229.52