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1 AMENDMENT TO HOUSE BILL 0649

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 0649 by replacing  
3 the title with the following:

4 "AN ACT concerning horses.

5 WHEREAS, The People of the State of Illinois find and  
6 declare that:

7 (a) The horse is a living symbol of the spirit, rugged  
8 independence, and tireless energy of our pioneer heritage;

9 (b) Horses have served us in war, carried us into the  
10 West and beyond, hauled our goods on their backs and in  
11 wagons, and entertained and partnered with man for  
12 thousands of years;

13 (c) The horse is a part of Illinois' rich heritage,  
14 having played a major role in Illinois' historical growth  
15 and development;

16 (d) Horses contribute significantly to the enjoyment  
17 of generations of recreation enthusiasts in Illinois,  
18 while contributing tremendous economic benefit;

19 (e) Horses are not raised for food or fiber and are  
20 taxed differently than food animals; and

21 (f) Horses can be stolen, or purchased without  
22 disclosure or under false pretenses, to be slaughtered or  
23 shipped for slaughter; and this practice has contributed to  
24 crime and consumer fraud; and

1           WHEREAS, The General Assembly hereby also declares the  
2 purpose and intent of this amendatory Act to be as follows:

3           (a) To recognize the horse as an important part of  
4 Illinois' heritage that deserves protection from those who  
5 would slaughter horses for food for human consumption; and

6           (b) To enact into law that which has been widely  
7 accepted for generations in this State: it is immoral and  
8 unlawful to slaughter horses in this State to be used for  
9 food for human consumption; therefore"; and

10 by replacing everything after the enacting clause with the  
11 following:

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

14           (225 ILCS 635/1.5 new)

15           Sec. 1.5. Slaughter for human consumption unlawful.

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

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

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

31           (d) Any person who knowingly violates any of the provisions

1 of this Section is guilty of a Class C misdemeanor.

2 (e) This Section shall not apply to:

3 (1) Any commonly accepted commercial, non commercial,  
4 recreational, or sporting activity.

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

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

9 (225 ILCS 635/14 rep.) (from Ch. 56 1/2, par. 253)

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

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

14 (410 ILCS 605/2.1) (from Ch. 8, par. 107.1)

15 Sec. 2.1.

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

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

31 The Department or its duly designated agent in performing

1 the duties vested in it under this Act is empowered to enter  
2 any premises, barns, stables, sheds, or other places for the  
3 purposes of administering this Act.

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

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

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

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

15 (510 ILCS 65/4) (from Ch. 8, par. 954)

16 Sec. 4. Tests of equidae entering the State. All equidae  
17 more than 12 months of age entering the State for any reason  
18 ~~other than for immediate slaughter~~ shall be accompanied by a  
19 Certificate of Veterinary Inspection issued by an accredited  
20 veterinarian of the state of origin within 30 days prior to  
21 entry and shall be negative to an official test for EIA within  
22 one year prior to entry. ~~Equidae entering the State for~~  
23 ~~immediate slaughter shall be accompanied by a consignment~~  
24 ~~direct to slaughter at an approved equine slaughtering~~  
25 ~~establishment.~~

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

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

29 (510 ILCS 70/5) (from Ch. 8, par. 705)

30 Sec. 5. Lamé or disabled horses. No person shall sell,

1 offer to sell, lead, ride, transport, or drive on any public  
2 way any equidae which, because of debility, disease, lameness  
3 or any other cause, could not be worked in this State without  
4 violating this Act, ~~unless the equidae is being sold,~~  
5 ~~transported, or housed with the intent that it will be moved in~~  
6 ~~an expeditious and humane manner to an approved slaughtering~~  
7 ~~establishment. Such equidae may be conveyed to a proper place~~  
8 ~~for medical or surgical treatment, for humane keeping or~~  
9 ~~euthanasia, or for slaughter in an approved slaughtering~~  
10 ~~establishment.~~

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

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

16 (510 ILCS 70/7.5)

17 Sec. 7.5. Downed animals.

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

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

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

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

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

33 (e) A person convicted of violating this Section or any

1 rule, regulation, or order of the Department pursuant thereto  
2 is guilty of a Class B misdemeanor. A second or subsequent  
3 violation is a Class 4 felony, with every day that a violation  
4 continues constituting a separate offense.

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

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

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

9 Sec. 2. As used in this Act:

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

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

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

17 (4) "Livestock" means cattle, calves, sheep, swine,  
18 horses, mules, goats, and any other animal which can or may be  
19 used in and for the preparation of meat or meat products for  
20 consumption by human beings or animals. "Livestock", however,  
21 does not include horses, mules, or other equidae to be used in  
22 and for the preparation of meat or meat products for  
23 consumption by human beings, which is prohibited under Section  
24 1.5 of the Illinois Horse Meat Act.

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

30 (6) "Humane method" means either (a) a method whereby the  
31 animal is rendered insensible to pain by gunshot or by  
32 mechanical, electrical, chemical or other means that is rapid

1 and effective, before being shackled, hoisted, thrown, cast or  
2 cut; or (b) a method in accordance with ritual requirements of  
3 the Jewish faith or any other religious faith whereby the  
4 animal suffers loss of consciousness by anemia of the brain  
5 caused by the simultaneous and instantaneous severance of the  
6 carotid arteries with a sharp instrument.

7 (Source: Laws 1967, p. 2023.)

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

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