



## 95TH GENERAL ASSEMBLY

### State of Illinois

### 2007 and 2008

### SB1844

Introduced 5/23/2007, by Sen. J. Bradley Burzynski

#### SYNOPSIS AS INTRODUCED:

225 ILCS 635/1.5

510 ILCS 65/4

510 ILCS 70/5

510 ILCS 70/7.5

from Ch. 8, par. 954

from Ch. 8, par. 705

Amends the Horse Meat Act. Provides that if and only if House Bill 1711 of the 95th General Assembly, in the form it passed the House, becomes law, it is unlawful for any person to sell horse meat for animal consumption unless the horse meat is clearly stamped, marked, and described as horse meat for animal consumption. Amends the Illinois Equine Infectious Anemia Control Act and the Humane Care for Animals Act to make related changes. Effective immediately.

LRB095 12280 NHT 36818 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning horses.

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

4 Section 5. If and only if House Bill 1711 of the 95th  
5 General Assembly, in the form it passed the House, becomes law,  
6 the Illinois Horse Meat Act is amended by changing Section 1.5  
7 as follows:

8 (225 ILCS 635/1.5)

9 Sec. 1.5. Slaughter for human consumption unlawful; animal  
10 consumption label required.

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

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

20 (b-5) It is unlawful for any person to sell horse meat for  
21 animal consumption unless the horse meat is clearly stamped,  
22 marked, and described as horse meat for animal consumption.

23 (c) Any person who knowingly violates any of the provisions

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

2 (d) This Section shall not apply to:

3 (1) Any commonly accepted noncommercial, recreational,  
4 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 (Source: 95HB1711enr.)

10 Section 10. If and only if House Bill 1711 of the 95th  
11 General Assembly, in the form it passed the House, becomes law,  
12 the Illinois Equine Infectious Anemia Control Act is amended by  
13 changing Section 4 as follows:

14 (510 ILCS 65/4) (from Ch. 8, par. 954)

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

1 (Source: 95HB1711enr.)

2 Section 15. If and only if House Bill 1711 of the 95th  
3 General Assembly, in the form it passed the House, becomes law,  
4 the Humane Care for Animals Act is amended by changing Sections  
5 5 and 7.5 as follows:

6 (510 ILCS 70/5) (from Ch. 8, par. 705)

7 Sec. 5. Lamé or disabled horses. No person shall sell,  
8 offer to sell, lead, ride, transport, or drive on any public  
9 way any equidae which, because of debility, disease, lameness  
10 or any other cause, could not be worked in this State without  
11 violating this Act. Such equidae may be conveyed to a proper  
12 place for medical or surgical treatment, ~~or~~ or for humane keeping  
13 or euthanasia, or for slaughter for animal consumption in an  
14 approved slaughtering establishment.

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

19 (Source: 95HB1711enr.)

20 (510 ILCS 70/7.5)

21 Sec. 7.5. Downed animals.

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

1 (b) No downed animal shall be sent to a stockyard, auction,  
2 or other facility where its impaired mobility may result in  
3 suffering. An injured animal, other than those of the equine  
4 genus not intended for slaughter for animal consumption, may be  
5 sent directly to a slaughter facility.

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

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

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

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

20 (Source: 95HB1711enr.)

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