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1 AMENDMENT TO HOUSE BILL 649

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 649 by inserting the  
3 following immediately below the title:

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

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

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

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

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

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

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

24 WHEREAS, The General Assembly hereby also declares the

1 purpose and intent of this amendatory Act to be as follows:

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

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

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

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

13 (225 ILCS 635/1.5 new)

14 Sec. 1.5. Slaughter for human consumption unlawful.

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

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

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

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

1       (e) This Section shall not apply to:

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

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

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

8       (225 ILCS 635/14 rep.) (from Ch. 56 1/2, par. 253)

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

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

13      (410 ILCS 605/2.1) (from Ch. 8, par. 107.1)

14      Sec. 2.1.

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

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

30      The Department or its duly designated agent in performing  
31      the duties vested in it under this Act is empowered to enter

1 any premises, barns, stables, sheds, or other places for the  
2 purposes of administering this Act.

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

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

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

12 Section 15. The Illinois Equine Infectious Anemia Control  
13 Act is amended by 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~~ shall be accompanied by a  
18 Certificate of Veterinary Inspection issued by an accredited  
19 veterinarian of the state of origin within 30 days prior to  
20 entry and shall be negative to an official test for EIA within  
21 one year prior to entry. ~~Equidae entering the State for~~  
22 ~~immediate slaughter shall be accompanied by a consignment~~  
23 ~~direct to slaughter at an approved equine slaughtering~~  
24 ~~establishment.~~

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

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

28 (510 ILCS 70/5) (from Ch. 8, par. 705)

29 Sec. 5. Lamé or disabled horses. No person shall sell,  
30 offer to sell, lead, ride, transport, or drive on any public

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

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

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

15 (510 ILCS 70/7.5)

16 Sec. 7.5. Downed animals.

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

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

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

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

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

32 (e) A person convicted of violating this Section or any  
33 rule, regulation, or order of the Department pursuant thereto

1 is guilty of a Class B misdemeanor. A second or subsequent  
2 violation is a Class 4 felony, with every day that a violation  
3 continues constituting a separate offense.

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

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

7 (510 ILCS 75/2) (from Ch. 8, par. 229.52)

8 Sec. 2. As used in this Act:

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

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

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

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

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

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

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

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

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

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