

1 AN ACT concerning animals.

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

4 Section 1. Short title. This Act may be cited as the Mink
5 Facility Disease Prevention Act.

6 Section 5. Findings; purpose.

7 (a) The General Assembly finds that:

8 (1) Minks' upper respiratory tracts are
9 physiologically similar to humans, which means minks can
10 become infected by, and potentially transmit to humans,
11 respiratory viruses, such as SARS-CoV-2, which is the
12 virus that causes COVID-19, and Influenza A virus subtype
13 H5N1, which is the virus that causes avian influenza.

14 (2) Minks' susceptibility to acquiring and spreading
15 both human and animal respiratory viruses renders them
16 potentially potent mixing vessels for generating novel
17 pandemic viruses.

18 (3) Animal management and slaughter practices at mink
19 facilities facilitate the spread of viruses. These
20 facilities confine large numbers of animals in close
21 proximity to each other, which promotes disease
22 transmission. The mink also experience extreme stress,
23 which increases the potential to shed and transmit viruses

1 over extended periods. This risk is further exacerbated by
2 on-site slaughter practices that create additional points
3 of exposure.

4 (4) Tens of thousands of captive mink in the United
5 States, and millions worldwide, have been infected with
6 SARS-CoV-2, and there have been documented cases where
7 mink have transmitted a variant of the virus to humans.

8 (5) Influenza A virus subtype H5N1 has infected tens
9 of thousands of captive mink since 2022. In at least one
10 mink facility, the virus gained a mutation that favors
11 mammal-to-mammal spread, allowing it to spread from mink
12 to mink.

13 (6) Outbreaks of Influenza A virus subtype H5N1 among
14 captive mink across Finland led to the culling of mink to
15 prevent the disease spread amid fears of it mutating into
16 something transmissible between humans.

17 (b) It is the purpose of this Act to protect public health
18 and human safety by requiring disease prevention and
19 surveillance measures at mink facilities in this State.

20 Section 10. Definitions. As used in this Act:

21 "Department" means the Department of Public Health.

22 "Mink" means American mink (*Neovison vison*), European mink
23 (*Mustela lutreola*), and any mink hybrid, whether alive or
24 dead.

25 "Mink facility" means any operation in which mink, for the

1 value of their fur, are owned, controlled, raised, bred,
2 propagated, kept, slaughtered, skinned, or sold.

3 "Person" includes any individual, firm, corporation,
4 trust, association, copartnership, society, or other
5 organization of individuals and any other business unit,
6 device, or arrangement.

7 Section 15. License for mink facilities.

8 (a) Beginning January 1, 2026, a person who breeds,
9 possesses, or intends to breed or possess mink for the purpose
10 of engaging in commerce with any parts and products of the mink
11 shall obtain a license from the Department.

12 (b) License application requirements:

13 (1) Each mink facility must apply annually for a
14 license.

15 (2) Information required for the license include, at
16 minimum, all of the following:

17 (A) the full contact information for all owners
18 and operators of the mink facility;

19 (B) the address for each place of business where a
20 mink facility conducts business and the legal
21 descriptions of any lands upon which the mink facility
22 conducts business;

23 (C) all trade names under which the mink facility
24 conducts business;

25 (D) the number of individuals who work at each

1 mink facility;

2 (E) the number, sexes, and sources of individual
3 mink raised for fur within the previous year at each
4 mink facility;

5 (F) a detailed description of how the mink were
6 transported to and from each mink facility within the
7 previous year, including the route taken, if
8 applicable;

9 (G) the number of individual mink purchased,
10 transferred, or sold by each mink facility within the
11 previous year and the name of each person or entity to
12 whom or from whom mink were purchased, transferred, or
13 sold;

14 (H) a description of the size, number, and type of
15 the mink facility's pens, cages, or other similar
16 enclosures;

17 (I) a description of the barrier used to contain
18 the mink at the mink facility, as well as the barriers
19 used to prevent other animals from gaining access to
20 the mink facility;

21 (J) a description of the procedures the mink
22 facility uses to dispose of mink manure and carcasses
23 and parts of carcasses;

24 (K) a description of the practices and procedures
25 used by the mink facility within the previous year to
26 ensure the health and safety of workers, the public,

1 and animals on and around the facility; and

2 (L) the number of mink that died or were killed
3 within the previous year, the cause of death, and, if
4 killed by humans, the reason each was killed and the
5 method used.

6 (3) A license may be granted only if the Department
7 finds, following an inspection, that the application is
8 made in good faith with intention to actually carry on the
9 business described in the application.

10 (4) A license may be granted only if the Department
11 determines, following an inspection, that the facilities
12 are adequate for the business, and that:

13 (A) the facility is constructed to minimize
14 escapes or additional protections are put in place if
15 the construction is substandard;

16 (B) there are adequate security and safety
17 programs and procedures that minimize the possibility
18 of escape;

19 (C) there is adequate recordkeeping to aid in
20 tracking of confined animals or recovering escaped
21 animals;

22 (D) there are adequate procedures, equipment, and
23 trained staff to maximize capture of escaped animals;

24 (E) adequate veterinary care is provided to
25 identify and minimize the spread of diseases; and

26 (F) the applicant has a good reputation for care

1 of animals and compliance with the relevant laws.

2 Section 20. Licensee requirements. A licensee may maintain
3 the licensee's license only if the licensee complies with all
4 of the following requirements:

5 (1) The licensee shall, at least weekly, arrange for
6 testing for SARS-CoV-2, Influenza A virus subtype H5N1,
7 and other potentially harmful viruses, as defined by the
8 Department, in a large enough sample size of the mink at
9 the mink facility to determine with at least 95%
10 confidence that no animals in the population at the mink
11 facility are infected, and the licensee shall prioritize
12 for testing animals that appear sick or have already died.

13 (2) The licensee shall, at least weekly, arrange for
14 testing of all mink facility workers for SARS-CoV-2,
15 Influenza A virus subtype H5N1, and other potentially
16 harmful viruses, as defined by the Department.

17 (3) The licensee shall arrange for immediate testing
18 for SARS-CoV-2, Influenza A virus subtype H5N1, and other
19 potentially harmful viruses, as defined by the Department,
20 in any person who has been at the mink facility within the
21 immediately preceding 2 weeks and shows, or whose
22 household members show, signs of possible respiratory
23 infection, including fever or chills, cough, shortness of
24 breath or difficulty breathing, fatigue, muscle or body
25 aches, headache, new loss of taste or smell, sore throat,

1 congestion or runny nose, nausea or vomiting, and
2 diarrhea.

3 (4) If any workers at a mink facility or mink at a mink
4 facility test positive for SARS-CoV-2, Influenza A virus
5 subtype H5N1, or other potentially harmful viruses, as
6 defined by the Department, then all of the following
7 actions shall be taken immediately:

8 (A) The licensee shall quarantine the mink
9 facility and all humans and mink at the facility.

10 (B) The licensee shall report the positive test
11 results and any other relevant information to the
12 Department.

13 (C) The Department shall investigate to determine
14 whether, and to what extent, other humans or mink are
15 infected.

16 (D) The Department shall investigate to determine
17 whether, and to what extent, the virus is present in
18 any domestic animals, escaped mink, wild mink, or
19 other potentially susceptible wildlife on or within a
20 40-kilometer radius of the infected mink facility.

21 (E) The Department shall recommend to relevant
22 State and federal wildlife officials that the
23 recreational trapping of mink and other potentially
24 susceptible wildlife, particularly mustelids, be
25 closed in the area surrounding the infected mink
26 facility.

1 (F) The Department shall conduct a genetic
2 analysis of the virus to characterize the virus, to
3 detect possible virus mutations, and to identify the
4 origin and the source of the virus.

5 (5) A positive result for SARS-CoV-2, Influenza A
6 virus subtype H5N1, or other potentially harmful viruses,
7 as defined by the Department, at a mink facility, as well
8 as the results of the subsequent investigations, must be
9 made public by the Department as soon as possible.

10 (6) The licensee must ensure that each mink is
11 separated from any other mink by at least 6 feet to reduce
12 disease transmission.

13 (7) The Department shall implement additional
14 requirements for the disposal of feces, carcasses, and fur
15 at mink facilities if the Department determines it to be
16 in the best interest of public health.

17 Section 25. License fee. For each mink facility that it
18 owns or operates, the licensee must, on or before January 1,
19 pay to the Department an annual fee of \$1,000. Proceeds from
20 fees under this Section shall be deposited into the Mink
21 Facility Fund established under Section 30.

22 Section 30. Mink Facility Fund. The Mink Facility Fund is
23 hereby created as a special fund in the State treasury. Fees
24 collected under this Act and interest attributable to moneys

1 in the Fund shall be deposited into the Fund. Moneys in the
2 Fund, including interest earned, may be used by the Department
3 for administration and enforcement of this Act.

4 Section 35. Inspection.

5 (a) To ensure compliance with this Act, the Department
6 shall inspect each mink facility annually before granting a
7 license for the mink facility.

8 (b) The Department shall conduct an unannounced inspection
9 at each mink facility no fewer than 2 additional times per year
10 to ensure that the licensee is maintaining the licensee's
11 license in good standing.

12 (c) Following each inspection, the Department shall
13 produce a detailed report explaining whether the licensee
14 complies with the terms of the licensee's license.

15 Section 40. Euthanasia. If euthanasia of mink is necessary
16 for disease containment, either by the licensee or the
17 Department, it shall be performed in a manner that:

18 (1) meets the definition of "euthanasia" specified in
19 9 CFR 1.1 (or successor regulations); and

20 (2) is not identified as aversive to mink in the most
21 recent version of the American Veterinary Medical
22 Association (AVMA) Guidelines for the Euthanasia of
23 Animals.

1 Section 45. Violations.

2 (a) A licensee who violates any provision of this Act or
3 any rules adopted under this Act shall be subject to (1)
4 revocation of the licensee's license under this Act and (2)
5 confiscation of all mink at the mink facility.

6 (b) The penalty described in this Section may be enforced
7 by the Attorney General bringing an action in a court of
8 competent jurisdiction. The application of this Section does
9 not preclude an action by the Attorney General seeking
10 equitable or other remedies in connection with the enforcement
11 of this Act.

12 (c) The penalties described in this Section may be
13 enforced by the Department under a process that the Department
14 may adopt rules to implement. This process shall comport with
15 requirements for due process, requirements under the Illinois
16 Administrative Procedure Act, and requirements under the
17 Administrative Review Law of the Code of Civil Procedure. The
18 provisions of the Administrative Review Law and the rules
19 adopted pursuant to the Administrative Review Law shall apply
20 to and govern all proceedings instituted for the judicial
21 review of final administrative decisions under this Act. The
22 commencement of any action for review shall operate as a stay
23 of enforcement, and no action based on any decision under this
24 Act shall be taken pending final disposition of the review.

25 Section 50. Rulemaking. The Department, in consultation

1 with any other relevant agencies, as determined by the
2 Department, shall adopt rules to implement this Act. These
3 rules may impose stricter requirements for disease prevention,
4 surveillance, and containment at mink facilities than those
5 outlined in this Act if warranted by risks to public health and
6 safety.

7 The Department, in consultation with any other relevant
8 agencies, as determined by the Department, shall develop and
9 maintain a publicly available list of potentially harmful
10 viruses required for testing, including, but not limited to,
11 SARS-CoV-2 and Influenza A virus subtype H5N1.

12 Section 55. The State Finance Act is amended by adding
13 Section 5.1030 as follows:

14 (30 ILCS 105/5.1030 new)

15 Sec. 5.1030. The Mink Facility Fund.