

AN ACT concerning animals.

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

Section 5. The Livestock Auction Market Law is amended by changing Section 8 as follows:

(225 ILCS 640/8) (from Ch. 121 1/2, par. 215)

Sec. 8. Each livestock auction market shall, except on days when all livestock is consigned direct for immediate slaughter and except for sales restricted to equidae, be under the direct supervision of an accredited veterinarian approved by the Department and each licensed livestock auction market designated as a marketing center shall, except on days when all livestock is consigned direct for immediate slaughter and except for sales restricted to equidae, be under the direct supervision of an accredited veterinarian approved by the Department. Except as otherwise provided in this Act and by regulations, no livestock known to be infected with or known to have been exposed to any contagious, infectious, or communicable animal disease or infestation shall be consigned to or sold through any livestock auction market. The veterinarian shall examine or inspect all livestock that is offered for sale and shall prohibit the sale of any animals which in his opinion are diseased or which are likely to be

carriers of disease, and shall quarantine such animals when necessary. The veterinarian shall also issue or cause to be issued all necessary quarantines for livestock sold through such markets. The name and address of the purchaser of any livestock sold under or subject to quarantine, together with the description and number of head of the livestock shall be reported to and filed with the Department within 48 hours from date of sale. The veterinarian shall supervise the cleaning and disinfecting of the yards and pens following each sale or at such other times as may be necessary. Except as otherwise provided in this Act, no female cattle or bulls more than 6 months of age shall be sold through a livestock auction market, except for slaughter, unless such cattle (a) are in compliance with the provisions of "An Act in relation to the eradication of bovine brucellosis among domestic cattle", approved July 12, 1939, as amended or (b) are female cattle of the beef breeds over 6 and under 18 months of age released on permit subject to the livestock quarantine regulations of the Department for feeding or grazing purposes only consigned direct from the farm to the livestock auction market or shipped direct to the livestock auction market from other states, livestock auction markets, or marketing centers ~~or public stockyards~~ within the State in accordance with Illinois statutory requirements to be sold through the livestock auction market without test for brucellosis or tuberculosis.

Bulls over 18 months of age, springer heifers and cows, or

heifers and cows with calves, are classed as breeding cattle and as such shall comply with the requirements governing breeding cattle.

Calves under 3 months of age of all breeds, not with their dams, may enter the State of Illinois without test for tuberculosis ~~or brucellosis~~ if they are consigned to a licensed livestock auction market to be sold for immediate slaughter.

Under the provisions of this Act, the Department of Agriculture is authorized to make rules and regulations permitting or requiring the sale through livestock auction markets, for immediate slaughter only, of any cattle which upon being tested for brucellosis react to an official test for brucellosis.

Livestock auction markets handling livestock during inclement weather shall be equipped with facilities for housing the livestock during such inclement weather. If livestock is held on the premises for more than 10 hours, facilities for feeding and watering the livestock shall be provided. The yards, pens, and premises where livestock is held or handled shall be regularly cleaned and disinfected for the purpose of preventing infectious, contagious, and communicable animal diseases.

In case any livestock auction market shall sell livestock by weight, the scales upon which such livestock is weighed shall be regularly inspected and tested.

(Source: P.A. 89-463, eff. 5-31-96.)

Section 10. The Illinois Bovine Brucellosis Eradication Act is amended by changing Sections 5, 6.1, and 6.3 as follows:

(510 ILCS 30/5) (from Ch. 8, par. 138)

Sec. 5. When one or more animals in a herd have been classified as reactors to an official test, the entire herd, except steers, spayed heifers and calves under 6 months of age, shall be quarantined immediately and the owner so notified. An accredited veterinarian or a veterinarian in the employ of the Animal and Plant Health Inspection Service of the United States Department of Agriculture, or any successor agency, shall permanently hot iron brand each animal classified as a reactor, within 15 days after classification of such animal as a reactor, on the left hip with the letter "B", such letter to be not less than 2 nor more than 3 inches in height, and shall place a special identification tag in the left ear of such reactor. The veterinarian applying an official test for brucellosis shall immediately notify the Department of each such reactor on forms furnished by the Department, giving the number of the tag placed in the left ear and the number of any tag in the right ear. Reactors shall be shipped for slaughter within 30 days of test date, except that the Department may, upon request, grant an extension of not more than 30 days. Suspect animals which have a history of having aborted and are from a herd containing reactors may be designated as reactors

by the veterinarian obtaining the blood samples, when approved by the Department. Suspect animals in herds under quarantine due to brucellosis infection may be designated as reactors by the Department if deemed advisable in the interest of brucellosis eradication. No person shall remove any reactor identification tag.

All animals classified as suspects to an official test shall be positively identified and their movement restricted to the premises where found until they are retested and found negative, or identified as reactors.

Animals with a positive result to an official test at livestock auction markets or marketing centers may be slaughtered or returned to the herd of origin only by permit and must remain under quarantine for further evaluation.

(Source: P.A. 95-93, eff. 8-13-07; 95-335, eff. 8-21-07.)

(510 ILCS 30/6.1) (from Ch. 8, par. 139.1)

Sec. 6.1. Shipping of dairy or breeding cattle. The Department may require that no ~~No~~ dairy or breeding cattle more than 6 months of age shall be shipped from any livestock auction markets or marketing centers ~~public stockyards~~ in Illinois consigned to any point within the State unless they are accompanied by a certificate of health issued by an accredited veterinarian or a veterinarian employed by the Animal and Plant Health Inspection Service of the United States Department of Agriculture, or any successor agency, showing

them to have been negative to an official test for brucellosis prior to release from such public stockyards or be under 24 months of age for beef breeds and 20 months of age for dairy breeds and accompanied by a record of official brucellosis calfhood vaccination.

Cattle consigned to livestock auction markets or marketing centers ~~public stockyards~~ in Illinois may enter such livestock auction markets or marketing centers ~~public stockyards~~ without test or certificates of health showing them to be free from brucellosis, however, the Department may require that these animals must be negative to an official test for brucellosis before they are removed to an Illinois farm.

(Source: P.A. 90-192, eff. 7-24-97.)

(510 ILCS 30/6.3) (from Ch. 8, par. 139.3)

Sec. 6.3. Female cattle of the beef breeds over 6 and under 18 months of age, for feeding and grazing purposes only, may enter the State or may be shipped from ~~public stockyards,~~ marketing centers, or auction markets within the State without test for brucellosis. The Department may require that such ~~Such~~ cattle be held ~~are~~ under quarantine until they have passed a negative brucellosis test and such test is reported to the Department, or until a report of their disposal for slaughter is made to the Department. They may be held in quarantine without test during their feeding and grazing period, which period shall not exceed 12 months from date of entry. Upon

application to the Department and at the discretion of the Department such period may be extended for an additional period not to exceed 90 days. When required by the Department, at ~~At~~ the expiration of the feeding and grazing period the cattle shall be sold for immediate slaughter or tested for brucellosis at the expense of the owner. The owner shall report such disposition to the Department. Such cattle classified as reactors to an official test for brucellosis shall be sold for immediate slaughter and the owner shall report their disposal to the Department.

(Source: P.A. 90-192, eff. 7-24-97.)

Section 15. The Illinois Swine Brucellosis Eradication Act is amended by changing Sections 1.7, 2, 3, 4, and 5 as follows:

(510 ILCS 95/1.7) (from Ch. 8, par. 148f.7)

Sec. 1.7. Health certificate. "Health certificate" or "certificate of health" or "interstate health certificate" or "certificate of veterinary inspection" means a legible record, made on an official form of the state of origin or the Animal and Plant Health Inspection Service of the United States Department of Agriculture or any successor agency and issued by an accredited veterinarian of the state of origin or a veterinarian in the employ of the Animal and Plant Health Inspection Service of the United States Department of Agriculture or any successor agency which shows that the

animals listed thereon meet the health requirements of the state of destination. The health certificate shall contain the name and address of the consignor, the name and address of the consignee, and an accurate description and identification of the animals by purebred registration number, registry association approved individual tattoo, ear notch, or tag in the right ear, and shall also indicate the health status of the animals, including results and dates of required tests and vaccinations, if any. A health certificate is valid for 30 days from the date of issuance.

(Source: P.A. 89-154, eff. 7-19-95.)

(510 ILCS 95/2) (from Ch. 8, par. 148g)

Sec. 2. No person shall lease, loan, trade or sell any swine 4 months of age and over for breeding purposes, or offer or receive the services of any male swine for breeding purposes, unless such swine are accompanied by an official brucellosis testing certificate showing that the swine have been tested by an accredited veterinarian within 60 days prior to the date of such transaction and found free of Brucella microorganisms; ~~or~~ or the swine originated ~~originate~~ from a validated brucellosis-free herd or originated from a Validated Brucellosis-free Area. Such test shall be recognized for one change of ownership or premises only within the 60-day period. Except as otherwise provided, a negative test shall be required for each change of ownership or premises should a change of

ownership or premises occur within 60 days from date of test.

(Source: P.A. 76-226.)

(510 ILCS 95/3) (from Ch. 8, par. 148h)

Sec. 3. An official test for the intrastate movement of swine, when required, shall be conducted by any official State or Federal laboratory, except that an accredited veterinarian may conduct such test when performing his official duties at a livestock auction market ~~stockyards registered under the Packers and Stockyards Act~~ or at a marketing center that has been approved by the U.S. Department of Agriculture under the rules pertaining to an approved livestock facility. All such tests shall be reported to the Department within 7 days of completion, upon forms provided by the Department.

(Source: P.A. 91-457, eff. 1-1-00.)

(510 ILCS 95/4) (from Ch. 8, par. 148i)

Sec. 4. All breeding swine 4 months of age and over entering Illinois for breeding or exhibition purposes shall be accompanied by an official interstate health certificate, issued by an accredited veterinarian of the state of origin, showing that such swine meet the Illinois entry requirements and are negative to an official test for brucellosis conducted by an official laboratory of the state of origin within 30 days prior to entry. However, swine from a validated brucellosis-free herd or a Validated Brucellosis-free Area may

enter the State or be exhibited without a test for brucellosis when accompanied by a certificate of health issued by an accredited veterinarian of the state of origin or a veterinarian employed by the Animal and Plant Health Inspection Service of the United States Department of Agriculture or any successor agency, showing such swine to have originated from a Validated Brucellosis-free Area or validated Brucellosis-free ~~brucellosis-free~~ herd and giving the validated herd certificate number and anniversary date.

(Source: P.A. 86-231.)

(510 ILCS 95/5) (from Ch. 8, par. 148j)

Sec. 5. Illinois breeding swine 4 months of age and over for exhibition within the State of Illinois shall meet all requirements for exhibition purposes and shall also be accompanied by an official ~~brucellosis~~ certificate of health showing the swine to have been negative to an official test for brucellosis conducted within 90 days of date of exhibition unless such swine originate ~~are~~ from a validated Brucellosis-free ~~brucellosis-free~~ or Validated Brucellosis-free Area herd as provided in Section 4 of this Act.

(Source: P.A. 76-226.)

(510 ILCS 30/1.9 rep.)

Section 20. The Illinois Bovine Brucellosis Eradication

Public Act 097-0025

HB1170 Enrolled

LRB097 09048 CEL 49182 b

Act is amended by repealing Section 1.9.

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