



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4470

Introduced 02/03/04, by Frank J. Mautino

SYNOPSIS AS INTRODUCED:

505 ILCS 17/7 new
505 ILCS 17/20
505 ILCS 17/50

Amends the Agricultural Production Contract Code. Provides that a production contract must have a Flesch-Kincaid Grade Level score no higher than the twelfth grade. Provides that this requirement does not apply to a document attached to the contract if the contractor, affiliate, or subsidiary is not the original publisher of the document. Provides that the fine for a violation may not be more than \$10,000. Effective January 1, 2005.

LRB093 20612 RAS 46446 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning agriculture.

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

4 Section 5. The Agricultural Production Contract Code is
5 amended by changing Sections 20 and 50 and by adding Section 7
6 as follows:

7 (505 ILCS 17/7 new)

8 Sec. 7. Applicability. This Code applies to production
9 contracts signed on or after January 1, 2005.

10 (505 ILCS 17/20)

11 (This Section may contain text from a Public Act with a
12 delayed effective date)

13 Sec. 20. Readability of production contracts.

14 (a) A production contract must comply with all of the
15 following:

16 (1) It must be in a typeface at least as large as
17 10-point modern, one-point leaded.

18 (2) It must be divided and captioned by its various
19 sections, have an index of the major provisions of the
20 production contract and the pages on which they are found,
21 and use commonly-used and understood words and terms, but
22 may include technical or industry terms customarily used
23 and understood by producers in the ordinary course of
24 business.

25 (3) It must limit references to other sections or
26 provisions and, when incorporating a document, have a copy
27 of the document attached.

28 (4) It must have a Flesch-Kincaid Grade Level score no
29 higher than the twelfth grade ~~scale analysis readability~~
30 ~~score of at least 50.~~ This provision does not apply to a
31 document attached to the contract if the contractor,

1 affiliate, or subsidiary is not the original publisher of
2 the document.

3 (b) A contractor may include a provision in the index
4 required by Section 25 that the production contract being
5 offered meets the requirements of this Section as to
6 readability.

7 (Source: P.A. 93-522, eff. 1-1-05.)

8 (505 ILCS 17/50)

9 (This Section may contain text from a Public Act with a
10 delayed effective date)

11 Sec. 50. Enforcement; offenses; remedies. The Attorney
12 General is primarily responsible for enforcing this Act.

13 A violation of ~~person who violates~~ Section 20, 25, 30, or
14 35 is ~~commits~~ a business offense under the Code of Corrections
15 punishable by a fine of not more than \$10,000 per offense ~~under~~
16 ~~the Code of Civil Procedure.~~

17 A producer may recover his or her actual damages for a
18 contractor's violation of Section 40 or 45 of this Act.

19 (Source: P.A. 93-522, eff. 1-1-05.)

20 Section 99. Effective date. This Act takes effect January
21 1, 2005.