



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2356

by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

225 ILCS 610/1.1	from Ch. 8, par. 149.1
225 ILCS 610/2	from Ch. 8, par. 150
225 ILCS 610/4	from Ch. 8, par. 152
225 ILCS 610/6	from Ch. 8, par. 154
225 ILCS 610/9.1	from Ch. 8, par. 157.1
225 ILCS 610/9.2	from Ch. 8, par. 157.2
225 ILCS 610/13.1	from Ch. 8, par. 161.1
225 ILCS 610/18	from Ch. 8, par. 166

Amends the Illinois Dead Animal Disposal Act. Removes references to "used cooking grease and oils". Provides that fees under the Act shall be set forth in administrative rules. Provides that the Department of Agriculture of the State of Illinois may refuse to issue or renew, or may suspend or revoke, a license or vehicle permit for failure to pay any fine or fee owed the Department. Makes other changes. Effective immediately.

LRB098 02656 MGM 32661 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Illinois Dead Animal Disposal Act is amended
5 by changing Sections 1.1, 2, 4, 6, 9.1, 9.2, 13.1, and 18 as
6 follows:

7 (225 ILCS 610/1.1) (from Ch. 8, par. 149.1)

8 Sec. 1.1. As used in this Act, unless the context otherwise
9 requires:

10 (a) "Department" means the Department of Agriculture of the
11 State of Illinois.

12 (b) "Person" means any individual, firm, partnership,
13 association, corporation or other business entity.

14 (c) "Renderer" means any person who, for other than human
15 consumption, collects, cooks and processes bodies or parts of
16 bodies of dead animals, poultry, or fish, ~~or used cooking~~
17 ~~grease and oils,~~ for the purpose of salvaging hides, wool,
18 skins or feathers, and for the production of animal, poultry,
19 or fish protein, blood meal, bone meal, grease or tallow.

20 (d) "Blender" means any person who acquires inedible
21 by-products of bodies or parts of bodies of dead animals,
22 poultry, or fish, ~~or used cooking grease and oils,~~
23 purpose of blending them to obtain a desired percentage of

1 protein, degree of quality or color for use in animal feed,
2 poultry feed or fertilizers.

3 (e) "Collection center" means any place where bodies or
4 parts of bodies of dead animals, poultry, or fish, ~~or used~~
5 ~~cooking grease and oils,~~ are collected for loading into a
6 permitted vehicle for delivery to the renderer.

7 (f) "Permittee" means any person issued a vehicle permit
8 under the provisions of this Act.

9 (g) "Licensee" means any person licensed under the
10 provisions of this Act.

11 (h) "Rendering materials" means bodies or parts of bodies
12 of dead animals, poultry, or fish, ~~or used cooking grease and~~
13 ~~oils.~~

14 (i) "Animal collection service" means a company that
15 conveys dead animals to a landfill facility licensed under the
16 Environmental Protection Act when no rendering service is
17 available. Waste haulers collecting waste in which a dead
18 animal is included incidental to such waste shall not be
19 considered an "animal collection service" activity.

20 (Source: P.A. 88-133.)

21 (225 ILCS 610/2) (from Ch. 8, par. 150)

22 Sec. 2. Except as otherwise provided in this Section, no
23 person shall engage in the business of disposing of the bodies
24 or parts of bodies of dead animals, poultry, or fish, ~~or used~~
25 ~~cooking grease and oils,~~ in the State without first obtaining a

1 license or licenses for that purpose from the Department. An
2 owner, operator, or animal collection service may convey dead
3 animals to a licensed landfill facility when no rendering
4 service is available. Such transport shall be direct and not in
5 conjunction with other collection activities, except for waste
6 haulers collecting waste in which a dead animal is included
7 incidental to the collection of such waste. No license or
8 permit is required for any owner, operator or caretaker to
9 convey dead animals to a landfill facility licensed under the
10 Environmental Protection Act.

11 (Source: P.A. 88-133.)

12 (225 ILCS 610/4) (from Ch. 8, par. 152)

13 Sec. 4. Application for such license shall be made to the
14 Department on forms provided by it, which application shall set
15 forth the name and residence of the applicant, classification
16 of license or licenses requested, his place or proposed place
17 of business, and the particular method which he intends to
18 employ in disposing of rendering material and such other
19 information as the Department may require. The licenses shall
20 be classified according to type of plant operated. Renderer:
21 Class "A"--dead animals only; Class "B"--parts of bodies of
22 animals, scrap, bones, or fat, ~~used cooking grease and oils;~~
23 Class "C"--poultry or parts of poultry and Class "D"--fish or
24 parts of fish; Blender: Class "E"; Collection Center: Class
25 "F"; Animal Collection Service: Class "G".

1 (Source: P.A. 88-133.)

2 (225 ILCS 610/6) (from Ch. 8, par. 154)

3 Sec. 6. On the receipt of the certification described in
 4 Section 5, and the payment of the fee provided herein, the
 5 Department shall issue a license to the applicant to conduct
 6 such business at the place specified in the application for one
 7 calendar year or for the portion of the calendar year remaining
 8 at the time the license is issued. No license shall be issued
 9 for a plant not located within the boundaries of the State of
 10 Illinois. No license issued under this Section is transferable.

11 Nonrefundable ~~The following nonrefundable~~ fees shall be
 12 set forth in administrative rules and shall accompany each
 13 application for a license.

14 ~~(1) For an original license of any~~
 15 ~~classification other than Class "F"~~ \$150

16 ~~(2) For the annual renewal of a license~~
 17 ~~of any classification other than Class "F"~~ \$150

18 ~~(3) For an original license for each~~
 19 ~~additional classification other than Class "F" ..~~ \$50

20 ~~(4) For the annual renewal of the license of~~
 21 ~~any additional classification~~
 22 ~~other than Class "F"~~ \$50

23 ~~(5) For an original Class "F" license~~ \$25

24 ~~(6) For the annual renewal~~
 25 ~~of a Class "F" license~~ \$25

1	(7) For an original Class "G" license	\$25
2	(8) For the annual renewal of a Class "G"	
3	license.....	\$25

4 (Source: P.A. 88-133.)

5 (225 ILCS 610/9.1) (from Ch. 8, par. 157.1)

6 Sec. 9.1. Except as otherwise provided in Section 14, no
7 person shall operate a vehicle used to transport rendering
8 materials in this State without a vehicle permit issued by the
9 Department or without complying with this Act. Applications for
10 vehicle permits shall be accepted only from licensed renderers
11 and shall include the name and address of the proposed
12 permittee, the location of the place or intended place of the
13 proposed permittee's business, the number and types of vehicles
14 to be used by the proposed permittee and such other information
15 as may be required by regulations of the Department. Owners or
16 operators of vehicles not owned by licensed renderers in this
17 State shall secure a permit through the licensed renderer or
18 renderers to whom the rendering material will be delivered. The
19 Department shall issue a Class 1 permit for the transporting of
20 dead animals, fish or poultry; a Class 2 permit for
21 transporting parts of bodies of animals, scrap, bones, or fat
22 ~~or used cooking grease and oils~~; a Class 3 permit for
23 transporting hides; and a Class 4 permit for transporting
24 bodies or parts of bodies of dead animals, poultry or fish to a
25 landfill as an animal collection service. Permits issued

1 hereunder shall be renewable annually during December of each
2 year. All vehicle permits not renewed during December of each
3 year shall expire on December 31 of that year. A nonrefundable
4 ~~\$10~~ fee as set forth in the appropriate administrative rule
5 shall accompany each application for a vehicle permit or
6 renewal thereof.

7 (Source: P.A. 88-133.)

8 (225 ILCS 610/9.2) (from Ch. 8, par. 157.2)

9 Sec. 9.2. Each vehicle issued a Class 1 permit shall have
10 the inscription "Illinois Dead Animal Disposal Permit No. ...",
11 as assigned; each truck granted a Class 2 permit shall have the
12 inscription "Illinois Scrap ~~and Grease~~ Permit No. ...", as
13 assigned; and each truck granted a Class 3 permit shall have
14 the inscription "Illinois Hide Permit No. ...", as assigned.
15 All of these inscriptions shall be painted in a conspicuous
16 place in contrasting color on the left side of the bed of the
17 vehicle in letters not less than 3 inches high. If the vehicle
18 transporting the rendering material or conveying dead animals
19 to a landfill is not a van type truck, the vehicle bed, as well
20 as any properly identified tanks or barrels used for the
21 transportation of rendering material, when loaded or partially
22 loaded, shall be covered when traveling highways of the State
23 of Illinois. Vehicle beds shall be leak-proof or constructed so
24 that no drippings or seepage can escape.

25 Collection vehicles containing rendering material or used

1 for transporting dead animals, poultry, fish, or parts of
2 bodies thereof shall be thoroughly scrubbed and disinfected
3 after hauling each load, or before proceeding for another load.
4 All vehicle beds shall be painted as necessary, and kept in
5 good condition and repair at all times.

6 (Source: P.A. 88-133.)

7 (225 ILCS 610/13.1) (from Ch. 8, par. 161.1)

8 Sec. 13.1. The Department may refuse to issue or renew, or
9 may suspend or revoke, a license or vehicle permit on grounds
10 including, but not limited to, any one or more of the
11 following:

12 (1) The making of a material misstatement of fact in
13 the application for an original license or vehicle permit,
14 or in the application for any renewal license or vehicle
15 permit;

16 (2) Wilful disregard or wilful violation of this Act or
17 any regulations or rules issued pursuant thereto;

18 (3) Wilfully aiding or abetting another in the
19 violation of this Act or any regulation or rule issued
20 pursuant thereto;

21 (4) Allowing one's license to be used by an unlicensed
22 person;

23 (5) Conviction of any crime, an essential element of
24 which is the making of a material misstatement of fact,
25 fraud or dishonesty, or conviction of any crime relative to

1 the disposition of dead animals or the provisions of this
2 Act, if the Department determines, after investigation,
3 that such person has not been sufficiently rehabilitated to
4 warrant the public trust;

5 (6) Making wilful misrepresentations or false promises
6 of a character likely to influence, persuade or induce in
7 connection with the business of a licensee or permittee;

8 (7) Pursuing a continued course of wilful
9 misrepresentation or making false promises through
10 advertising, salesmen, agents, or otherwise, in connection
11 with the business of a licensee or permittee; or

12 (8) Failure to possess the necessary qualifications or
13 to meet the requirements of the Act for the issuance or
14 holding a license or permit.

15 (9) Failure to pay any fine or fee owed the Department.

16 (Source: P.A. 83-760.)

17 (225 ILCS 610/18) (from Ch. 8, par. 166)

18 Sec. 18. The transportation of bodies or parts of bodies of
19 dead animals, poultry, or fish, ~~or used cooking greases and~~
20 ~~oils, raw or unrendered,~~ except green or salted hides, shall
21 not be allowed into other states except by reciprocal
22 agreements with other states under rules of the Department.

23 (Source: P.A. 87-157.)

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