

# SB0894



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB0894

Introduced 1/24/2013, by Sen. John J. Cullerton

### SYNOPSIS AS INTRODUCED:

510 ILCS 20/2-1

Amends the Bees and Apiaries Act. Makes a technical change in a Section concerning the regulation of nuisances.

LRB098 05127 MRW 35158 b

A BILL FOR

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 5. The Bees and Apiaries Act is amended by changing  
5 Section 2-1 as follows:

6 (510 ILCS 20/2-1)

7 Sec. 2-1. Nuisances. All bees, colonies, or items of bee  
8 equipment, where bee diseases, bee parasites or exotic strains  
9 of bees exist; or hives that ~~that~~ cannot be readily inspected;  
10 or colonies that are not registered, are declared to be  
11 nuisances to be regulated as prescribed by the Department.

12 If the Department finds by inspection that any person is  
13 maintaining a nuisance as described in this Section, it shall  
14 proceed to regulate the nuisance by methods or procedures  
15 deemed necessary for control in accordance with rules and  
16 regulations of the Department.

17 If the owner or beekeeper cannot be found or will not  
18 consent to the terms for regulation of the nuisance, the  
19 Department shall notify in writing the owner or beekeeper,  
20 disclose the fact that nuisance exists and prescribe the method  
21 by which the nuisance may be abated. The notice declaring that  
22 a nuisance exists and ordering its abatement shall include:

23 (1) a statement of conditions constituting the

1 nuisance;

2 (2) establishment of the time period within which the  
3 nuisance is to be abated;

4 (3) directions, written or printed, pointing out the  
5 methods that shall be employed to abate the nuisance;

6 (4) a statement of the consequences should the owner or  
7 beekeeper fail to comply.

8 The notice may be served personally or by certified mail  
9 with a return receipt requested. The directions for abatement  
10 of a nuisance may consist of a printed circular, bulletin or  
11 report of the Department, the United States Department of  
12 Agriculture or others, or an extract from such document.

13 If the person so notified refuses or fails to abate the  
14 nuisance in the manner and in the time prescribed in the  
15 notice, the Department may cause the nuisance to be abated. The  
16 Department shall certify, to the owner or beekeeper, the cost  
17 of the abatement. The owner or beekeeper shall pay to the  
18 Department any costs of that action, within 60 days after  
19 certification that the nuisance has been abated. If the costs  
20 of abatement are not remitted, the Department may recover the  
21 costs before any court in the State having competent  
22 jurisdiction.

23 (Source: P.A. 88-138.)