



## 102ND GENERAL ASSEMBLY

### State of Illinois

### 2021 and 2022

#### HB3416

Introduced 2/22/2021, by Rep. Sonya M. Harper

#### SYNOPSIS AS INTRODUCED:

225 ILCS 610/1.1	from Ch. 8, par. 149.1
225 ILCS 610/17.1 new	
225 ILCS 610/19a	from Ch. 8, par. 167a
720 ILCS 5/48-7	

Amends the Illinois Dead Animal Disposal Act. Changes the name of the Act to the Animal Mortality Act (and amends the Criminal Code of 2012 to make a corresponding change). Provides that the Director of Agriculture may declare a mass animal mortality event. Provides that the Director shall notify the Illinois Emergency Management Agency of the declaration no later than 24 hours following the declaration. Provides that the Department of Agriculture shall create and file with the Illinois Emergency Management Agency a mass animal mortality event plan. Provides that following the Director's declaration of a mass animal mortality event, the Department shall implement the most recent mass animal mortality event plan on file with the Illinois Emergency Management Agency. Adds definitions for "mass animal mortality event", "director", "dead animal", and "operator".

LRB102 17016 SPS 22438 b

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  
5 amended by changing Sections 1.1 and 19a and by adding Section  
6 17.1 as 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  
9 otherwise requires:

10 (a) "Department" means the Department of Agriculture of  
11 the 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, for the  
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 cooking oils, are collected for loading  
6 into a 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 (j) "Grease and oil collector" means any person who  
21 collects for reuse or recycling used cooking grease and  
22 cooking oils in a permitted vehicle for delivery to a grease  
23 and cooking oil processor for purposes other than rendering or  
24 blending.

25 (k) "Grease and oil processor" means any person who  
26 stores, filters, processes, or distributes for reuse or

1 recycling used cooking grease and cooking oils for uses other  
2 than rendering or blending.

3 (l) "Mass animal mortality event" means an event, as  
4 declared by the Director, in which large numbers of animals of  
5 a single or multiple species die or are at an increased risk of  
6 mortality due to disease, natural disaster, or any other  
7 non-disease related event, including, but not limited to,  
8 market disruption or ventilation failure.

9 (m) "Director" means the Director of Agriculture.

10 (n) "Dead animal" means the carcass or tissue from a  
11 deceased domesticated animal, poultry, fish, captive wild  
12 animal, or captive wildlife.

13 (o) "Operator" means the person or entity that has been  
14 designated by the owner, through contract or otherwise, as  
15 responsible for conveying dead animals.

16 (Source: P.A. 98-785, eff. 1-1-15.)

17 (225 ILCS 610/17.1 new)

18 Sec. 17.1. Mass animal mortality event.

19 (a) The Director, at his or her discretion, may declare a  
20 mass animal mortality event. The Director shall notify the  
21 Illinois Emergency Management Agency of the declaration. The  
22 notification shall be made without delay, but no later than 24  
23 hours following the declaration.

24 (b) The Department shall create and file with the Illinois  
25 Emergency Management Agency a mass animal mortality event

1 plan. The plan must include and describe, at a minimum, the  
2 following options of disposal:

3 (1) burial, which may include methods and procedures  
4 for above-ground burial;

5 (2) rendering;

6 (3) transfer to a landfill;

7 (4) composting, which may be conducted on the site  
8 where the death of the animals occurred or by transporting  
9 the bodies to a licensed landfill or to a centralized  
10 off-site location determined at the time of the mass  
11 animal mortality event;

12 (5) incineration; and

13 (6) any other acceptable method as determined by the  
14 Director.

15 (b) Notwithstanding any other provision of this Act,  
16 following the Director's declaration of a mass animal  
17 mortality event, the Department shall implement the most  
18 recent mass animal mortality event plan on file with the  
19 Illinois Emergency Management Agency.

20 (225 ILCS 610/19a) (from Ch. 8, par. 167a)

21 Sec. 19a. This Act shall be known and may be cited as the  
22 Animal Mortality Act ~~"Illinois Dead Animal Disposal Act"~~.

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

24 Section 10. The Criminal Code of 2012 is amended by

1 changing Section 48-7 as follows:

2 (720 ILCS 5/48-7)

3 Sec. 48-7. Feeding garbage to animals.

4 (a) Definitions. As used in this Section:

5 "Department" means the Department of Agriculture of  
6 the State of Illinois.

7 "Garbage" has the same meaning as in the federal Swine  
8 Health Protection Act (7 U.S.C. 3802) and also includes  
9 putrescible vegetable waste. "Garbage" does not include  
10 the contents of the bovine digestive tract.

11 "Person" means any person, firm, partnership,  
12 association, corporation, or other legal entity, any  
13 public or private institution, the State, or any municipal  
14 corporation or political subdivision of the State.

15 (b) A person commits feeding garbage to animals when he or  
16 she feeds or permits the feeding of garbage to swine or any  
17 animals or poultry on any farm or any other premises where  
18 swine are kept.

19 (c) Establishments licensed under the Animal Mortality Act  
20 ~~Illinois Dead Animal Disposal Act~~ or under similar laws in  
21 other states are exempt from the provisions of this Section.

22 (d) Nothing in this Section shall be construed to apply to  
23 any person who feeds garbage produced in his or her own  
24 household to animals or poultry kept on the premises where he  
25 or she resides except this garbage if fed to swine shall not

1 contain particles of meat.

2 (e) Sentence. Feeding garbage to animals is a Class B  
3 misdemeanor, and for the first offense shall be fined not less  
4 than \$100 nor more than \$500 and for a second or subsequent  
5 offense shall be fined not less than \$200 nor more than \$500 or  
6 imprisoned in a penal institution other than the penitentiary  
7 for not more than 6 months, or both.

8 (f) A person violating this Section may be enjoined by the  
9 Department from continuing the violation.

10 (g) The Department may make reasonable inspections  
11 necessary for the enforcement of this Section, and is  
12 authorized to enforce, and administer the provisions of this  
13 Section.

14 (Source: P.A. 97-1108, eff. 1-1-13; 98-785, eff. 1-1-15.)