



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**SB2372**

Introduced 2/3/2004, by Lawrence M. Walsh

**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 20441 RAS 46224 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.