



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1239

Introduced 02/08/11, by Rep. LaShawn K. Ford

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.53 new
105 ILCS 5/34-18.45 new

Amends the School Code. Provides that each school board must not make available food containing industrially produced trans fat or use food containing industrially produced trans fat in the preparation of a food item served to students from any source, including, but not limited to, school stores, school vending machines, school cafeterias, school food service establishments, and fundraising activities on school premises, whether or not school sponsored. Provides that the prohibition applies to all food and beverages sold on school grounds during the regular and extended school day, but does not apply to food provided through a United States Department of Agriculture meal program. Requires the State Board of Education to establish a procedure for monitoring compliance by school boards, and allows the State Board to establish appropriate penalties based on failure to comply.

LRB097 05998 NHT 46069 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by adding Sections
5 10-20.53 and 34-18.45 as follows:

6 (105 ILCS 5/10-20.53 new)

7 Sec. 10-20.53. Prohibition on industrially produced trans
8 fat.

9 (a) For purposes of this Section:

10 "Food containing industrially produced trans fat" means a
11 food that contains vegetable shortening, margarine, or any kind
12 of partially hydrogenated vegetable oil, unless the
13 manufacturer's documentation or the label required on the food,
14 pursuant to applicable federal laws and regulations, lists the
15 trans fat content as zero grams of trans fat per serving.

16 "School food service establishment" means a place that
17 regularly sells or serves a food item or meal on a school
18 campus.

19 (b) Each school board must not make available food
20 containing industrially produced trans fat or use food
21 containing industrially produced trans fat in the preparation
22 of a food item served to students from any source, including,
23 but not limited to, school stores, school vending machines,

1 school cafeterias, school food service establishments, and
2 fundraising activities on school premises, whether or not
3 school sponsored.

4 (c) Subsection (b) of this Section applies to all food and
5 beverages sold on school grounds during the regular and
6 extended school day. The extended school day shall include
7 activities such as clubs, yearbook, band and choir practice,
8 student government, drama, and childcare and latchkey
9 programs.

10 (d) This Section does not apply to food provided through a
11 United States Department of Agriculture meal program.

12 (e) The State Board of Education shall establish a
13 procedure for monitoring compliance by school boards and may
14 establish appropriate penalties based on failure to comply with
15 this Section.

16 (105 ILCS 5/34-18.45 new)

17 Sec. 34-18.45. Prohibition on industrially produced trans
18 fat.

19 (a) For purposes of this Section:

20 "Food containing industrially produced trans fat" means a
21 food that contains vegetable shortening, margarine, or any kind
22 of partially hydrogenated vegetable oil, unless the
23 manufacturer's documentation or the label required on the food,
24 pursuant to applicable federal laws and regulations, lists the
25 trans fat content as zero grams of trans fat per serving.

1 "School food service establishment" means a place that
2 regularly sells or serves a food item or meal on a school
3 campus.

4 (b) The board must not make available food containing
5 industrially produced trans fat or use food containing
6 industrially produced trans fat in the preparation of a food
7 item served to students from any source, including, but not
8 limited to, school stores, school vending machines, school
9 cafeterias, school food service establishments, and
10 fundraising activities on school premises, whether or not
11 school sponsored.

12 (c) Subsection (b) of this Section applies to all food and
13 beverages sold on school grounds during the regular and
14 extended school day. The extended school day shall include
15 activities such as clubs, yearbook, band and choir practice,
16 student government, drama, and childcare and latchkey
17 programs.

18 (d) This Section does not apply to food provided through a
19 United States Department of Agriculture meal program.

20 (e) The State Board of Education shall establish a
21 procedure for monitoring compliance by the board and may
22 establish appropriate penalties based on failure to comply with
23 this Section.