



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4220

Introduced 1/26/2004, by Brent Hassert

SYNOPSIS AS INTRODUCED:

815 ILCS 318/5

Amends the Companion Animal Cremation Act. Provides that a "private individual cremation" means a cremation process in which only one companion animal at a time is cremated in the incinerator. Deletes language providing that an "individually partitioned cremation" means a cremation process in which only one companion animal at a time is cremated in the incinerator.

LRB093 18920 RXD 44655 b

1 AN ACT in relation to business transactions.

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

4 Section 5. The Companion Animal Cremation Act is amended by
5 changing Section 5 as follows:

6 (815 ILCS 318/5)

7 Sec. 5. Definitions. For the purposes of this Act, unless
8 the context indicates otherwise:

9 "Companion animal" or "animal" means a deceased animal that
10 had a companion or pet relationship with an owner at the time
11 of the animal's death.

12 "Provider of companion animal cremation services" or
13 "provider" means a person, company, or other entity engaging in
14 the business of cremating deceased companion animals in
15 Illinois.

16 "Cremation remains" means the material remaining after the
17 cremation of an animal, which may include ashes, skeletal
18 remains, and other residue resulting from the incineration
19 process, and may be pulverized or otherwise processed by the
20 provider of cremation services.

21 "Private individual cremation" means a cremation process
22 in which only one companion animal at a time is cremated in the
23 incinerator.

24 "Individually partitioned cremation" means a cremation
25 process in which ~~either (i) only one companion animal at a time~~
26 ~~is cremated in the incinerator or (ii) more than one companion~~
27 animal is cremated in the incinerator at the same time, but
28 each of the animals is completely separated from the others by
29 floor to ceiling partitions during the cremation process; and
30 in which the commingling of significant amounts of cremation
31 remains from different animals is unlikely to occur.

32 "Communal cremation" means a cremation process in which

1 companion animals are cremated together without effective
2 partitions or separation during the cremation process, and in
3 which the commingling of significant amounts of cremation
4 remains from different animals is likely or certain to occur.

5 "Commingling of significant amounts of cremation remains
6 from different animals" means that specific cremation remains
7 cannot be attributed to a particular animal, or that the
8 cremation remains attributed to one companion animal contain
9 more than 1% by weight of cremation remains from one or more
10 other companion animals. The presence, in the cremation remains
11 of a companion animal, of the remains of any creature that was
12 contained within the body of that animal at the time of
13 cremation (including parasites, insects, and food or creatures
14 eaten by that companion animal) does not constitute
15 "commingling" for the purposes of this Act.

16 A person or business entity is deemed to refer animal
17 owners or bring business to a provider "on a regular basis" if
18 the person or entity (i) has an ongoing contractual or agency
19 relationship with the provider relating to the cremation of
20 companion animals, (ii) receives any compensation or
21 consideration from the provider or animal owners relating to
22 the cremation of companion animals by the provider, or (iii)
23 refers or brings to the provider the business of more than 5
24 animal owners in an average month.

25 (Source: P.A. 92-287, eff. 1-1-02.)