



## 98TH GENERAL ASSEMBLY

### State of Illinois

#### 2013 and 2014

##### HB0077

Introduced 1/9/2013, by Rep. La Shawn K. Ford

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.55 new  
105 ILCS 5/34-18.48 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.

LRB098 03864 NHT 33881 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 10-20.55 and 34-18.48 as follows:

6 (105 ILCS 5/10-20.55 new)

7 Sec. 10-20.55. 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 5/34-18.48 new)

17 Sec. 34-18.48. 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.