

SB1772



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1772

Introduced 2/9/2023, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

415 ILCS 60/13.10 new

Amends the Illinois Pesticide Act. Provides that no person, other than a pesticide applicator under the direct supervision of a supervisory pesticide applicator, may apply a pesticide within any school building or on the grounds of any school. Exempts emergency application of a pesticide meeting specified requirements from the provisions.

LRB103 28768 CPF 55151 b

A BILL FOR

1 AN ACT concerning safety.

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

4 Section 5. The Illinois Pesticide Act is amended by adding
5 Section 13.10 as follows:

6 (415 ILCS 60/13.10 new)

7 Sec. 13.10. Lawn care pesticides; schools.

8 (a) In this Section:

9 "Biochemical pesticide" means a naturally occurring
10 substance that controls pests by nontoxic mechanisms.

11 "Integrated pest management" has the same meaning as
12 defined in Section 3.25 of the Structural Pest Control Act.

13 "Integrated pest management plan" means a written plan for
14 integrated pest management.

15 "Lawn care pesticide" means a pesticide registered by the
16 United States Environmental Protection Agency and labeled
17 pursuant to the federal Insecticide, Fungicide and Rodenticide
18 Act for use in lawn, garden, or ornamental sites or areas.

19 "Lawn care pesticide" does not include:

20 (1) a microbial pesticide or biochemical pesticide
21 that is registered with the United States Environmental
22 Protection Agency;

23 (2) a horticultural soap or oil that is registered

1 with the United States Environmental Protection Agency and
2 does not contain any synthetic pesticide or synergist; or

3 (3) a pesticide classified by the United States
4 Environmental Protection Agency as an exempt material
5 pursuant to 40 CFR 152.25.

6 "Microbial pesticide" means a pesticide with a
7 microorganism as the active ingredient.

8 (b) No person, other than a pesticide applicator under the
9 direct supervision of a supervisory pesticide applicator, may
10 apply a pesticide within any school building or on the grounds
11 of any school. This subsection shall not apply in the case of
12 an emergency application of a pesticide to eliminate an
13 immediate threat to human health where it is impractical to
14 obtain the services of a pesticide applicator, provided that
15 the emergency application does not involve a restricted use
16 pesticide.

17 (c) No person shall apply a lawn care pesticide on the
18 grounds of any school with students in grade eight or lower,
19 except that:

20 (1) until July 1, 2025, a lawn care pesticide may be
21 applied at a school on the playing fields and playgrounds
22 of the school pursuant to an integrated pest management
23 plan; and

24 (2) notwithstanding Section 3, an emergency
25 application of a lawn care pesticide may be made if the
26 school's local health department, the Department of Public

1 Health, the Environmental Protection Agency, or the
2 principal or superintendent of the school determines that
3 the emergency application is necessary to eliminate a
4 threat to human health.