

1 AN ACT concerning child care facilities.

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

4 Section 5. The Child Care Act of 1969 is amended by  
5 adding Section 5.6 as follows:

6 (225 ILCS 10/5.6 new)

7 Sec. 5.6. Pesticide application at day care centers.

8 (a) Licensed day care centers shall abide by the  
9 requirements of Sections 10.2 and 10.3 of the Structural Pest  
10 Control Act.

11 (b) Notification required pursuant to Section 10.3 of  
12 the Structural Pest Control Act may not be given more than 30  
13 days before the application of the pesticide.

14 (c) Each licensed day care center, subject to the  
15 requirements of Section 10.3 of the Structural Pest Control  
16 Act, must ensure that pesticides will not be applied when  
17 children are present at the center. Toys and other items  
18 mouthed or handled by the children must be removed from the  
19 area before pesticides are applied. Children must not return  
20 to the treated area within 2 hours after a pesticide  
21 application or as specified on the pesticide label, whichever  
22 time is greater.

23 Section 10. The Structural Pest Control Act is amended  
24 by changing Sections 2, 3, 10.2, and 10.3 and adding Section  
25 3.27 as follows:

26 (225 ILCS 235/2) (from Ch. 111 1/2, par. 2202)

27 (Section scheduled to be repealed on January 1, 2007)

28 Sec. 2. Legislative intent. It is declared that there  
29 exists and may in the future exist within the State of

1 Illinois locations where pesticides are received, stored,  
2 formulated or prepared and subsequently used for the control  
3 of structural pests, and improper selection, formulation and  
4 application of pesticides may adversely affect the public  
5 health and general welfare.

6 It is further established that the use of certain  
7 pesticides is restricted or may in the future be restricted  
8 to use only by or under the supervision of persons certified  
9 in accordance with this Act.

10 It is recognized that pests can best be controlled  
11 through an integrated pest management program that combines  
12 preventive techniques, nonchemical pest control methods, and  
13 the appropriate use of pesticides with preference for  
14 products that are the least harmful to human health and the  
15 environment. Integrated pest management is a good practice  
16 in the management of pest populations, and it is prudent to  
17 employ pest control strategies that are the least hazardous  
18 to human health and the environment.

19 Therefore, the purpose of this Act is to protect, promote  
20 and preserve the public health and general welfare by  
21 providing for the establishment of minimum standards for  
22 selection, formulation and application of restricted  
23 pesticides and to provide for the licensure of commercial  
24 structural pest control businesses, the registration of  
25 persons who own or operate non-commercial structural pest  
26 control locations where restricted pesticides are used, and  
27 the certification of pest control technicians.

28 It is also the purpose of this Act to reduce economic,  
29 health, and environmental risks by promoting the use of  
30 integrated pest management for structural pest control in  
31 schools and day care centers, by making guidelines on  
32 integrated pest management available to schools and day care  
33 centers.

34 (Source: P.A. 91-525, eff. 8-1-00.)

1 (225 ILCS 235/3) (from Ch. 111 1/2, par. 2203)  
 2 (Section scheduled to be repealed on January 1, 2007)  
 3 Sec. 3. Definitions.} As used in this Act, unless the  
 4 context otherwise requires, the terms specified in Sections  
 5 3.01 through 3.27 ~~3-26~~ have the meanings ascribed to them in  
 6 those Sections.  
 7 (Source: P.A. 91-525, eff. 8-1-00.)

8 (225 ILCS 235/3.27 new)  
 9 (Section scheduled to be repealed on January 1, 2007)  
 10 Sec. 3.27. "Day care center" means any structure used as  
 11 a licensed day care center in this State.

12 (225 ILCS 235/10.2) (from Ch. 111 1/2, par. 2210.2)  
 13 (Section scheduled to be repealed on January 1, 2007)  
 14 Sec. 10.2. Integrated pest management guidelines.  
 15 (a) The Department shall prepare guidelines for an  
 16 integrated pest management program for structural pest  
 17 control practices at school buildings and other school  
 18 facilities and day care centers. Such guidelines shall be  
 19 made available to schools, day care centers and the public  
 20 upon request.

21 (b) When economically feasible, each school and day care  
 22 center is required to adopt an integrated pest management  
 23 program that incorporates the guidelines developed by the  
 24 Department. If adopting an integrated pest management program  
 25 would not be economically feasible because it would result in  
 26 an increase in the school's or day care center's pest control  
 27 cost, the school district or day care center must provide  
 28 written notification to the Department. The notification  
 29 must include projected pest control costs for the term of the  
 30 pest control program and projected costs for implementing  
 31 integrated pest management for that same time period. The  
 32 Department shall make this notification available to the

1 general public upon request. In implementing an integrated  
2 pest management program, a school or day care center employee  
3 should be designated to assume responsibility for the  
4 oversight of pest management practices in that school or day  
5 care center and for recordkeeping requirements.

6 (c) The Structural Pest Control Advisory Council shall  
7 assist the Department in developing the guidelines for  
8 integrated pest management programs. In developing the  
9 guidelines, the Council shall consult with individuals  
10 knowledgeable in the area of integrated pest management.

11 (d) The Department, with the assistance of the  
12 Cooperative Extension Service and other relevant agencies,  
13 may prepare a training program for school or day care center  
14 pest control specialists.

15 (Source: P.A. 91-525, eff. 8-1-00.)

16 (225 ILCS 235/10.3)

17 (Section scheduled to be repealed on January 1, 2007)

18 Sec. 10.3. Notification. School districts and day care  
19 centers must maintain a registry of parents and guardians of  
20 students and employees who have registered to receive written  
21 notification prior to application of pesticides to school  
22 property or day care centers or provide written notification  
23 to all parents and guardians of students before such  
24 pesticide application. Written notification may be included  
25 in newsletters, bulletins, calendars, or other correspondence  
26 currently published by the school district or day care  
27 center. The written notification must be given at least 2  
28 business days before application of the pesticide application  
29 and should identify the intended date of the application of  
30 the pesticide and the name and telephone contact number for  
31 the school or day care center personnel responsible for the  
32 pesticide application program. Prior written notice shall  
33 not be required if there is an imminent threat to health or

1 property. If such a situation arises, the appropriate school  
2 or day care center personnel must sign a statement describing  
3 the circumstances that gave rise to the health threat and  
4 ensure that written notice is provided as soon as  
5 practicable. For purposes of this Section, pesticides  
6 subject to notification requirements shall not include (i) an  
7 antimicrobial agent, such as disinfectant, sanitizer, or  
8 deodorizer, or (ii) insecticide baits and rodenticide baits.  
9 (Source: P.A. 91-525, eff. 8-1-00.)

10 Section 99. Effective date. This Act takes effect on  
11 July 1, 2004.