

1 AMENDMENT TO SENATE BILL 1079

2 AMENDMENT NO. _____. Amend Senate Bill 1079, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

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

7 (225 ILCS 10/5.6 new)

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

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

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

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

1 time is greater.

2 Section 10. The Structural Pest Control Act is amended
3 by changing Sections 2, 3, 10.2, and 10.3 and adding Section
4 3.27 as follows:

5 (225 ILCS 235/2) (from Ch. 111 1/2, par. 2202)

6 (Section scheduled to be repealed on January 1, 2007)

7 Sec. 2. Legislative intent. It is declared that there
8 exists and may in the future exist within the State of
9 Illinois locations where pesticides are received, stored,
10 formulated or prepared and subsequently used for the control
11 of structural pests, and improper selection, formulation and
12 application of pesticides may adversely affect the public
13 health and general welfare.

14 It is further established that the use of certain
15 pesticides is restricted or may in the future be restricted
16 to use only by or under the supervision of persons certified
17 in accordance with this Act.

18 It is recognized that pests can best be controlled
19 through an integrated pest management program that combines
20 preventive techniques, nonchemical pest control methods, and
21 the appropriate use of pesticides with preference for
22 products that are the least harmful to human health and the
23 environment. Integrated pest management is a good practice
24 in the management of pest populations, and it is prudent to
25 employ pest control strategies that are the least hazardous
26 to human health and the environment.

27 Therefore, the purpose of this Act is to protect, promote
28 and preserve the public health and general welfare by
29 providing for the establishment of minimum standards for
30 selection, formulation and application of restricted
31 pesticides and to provide for the licensure of commercial
32 structural pest control businesses, the registration of

1 persons who own or operate non-commercial structural pest
2 control locations where restricted pesticides are used, and
3 the certification of pest control technicians.

4 It is also the purpose of this Act to reduce economic,
5 health, and environmental risks by promoting the use of
6 integrated pest management for structural pest control in
7 schools and day care centers, by making guidelines on
8 integrated pest management available to schools and day care
9 centers.

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

11 (225 ILCS 235/3) (from Ch. 111 1/2, par. 2203)

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

13 Sec. 3. Definitions.} As used in this Act, unless the
14 context otherwise requires, the terms specified in Sections
15 3.01 through 3.27 ~~3-26~~ have the meanings ascribed to them in
16 those Sections.

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

18 (225 ILCS 235/3.27 new)

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

20 Sec. 3.27. "Day care center" means any structure used as
21 a licensed day care center in this State.

22 (225 ILCS 235/10.2) (from Ch. 111 1/2, par. 2210.2)

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

24 Sec. 10.2. Integrated pest management guidelines.

25 (a) The Department shall prepare guidelines for an
26 integrated pest management program for structural pest
27 control practices at school buildings and other school
28 facilities and day care centers. Such guidelines shall be
29 made available to schools, day care centers and the public
30 upon request.

31 (b) When economically feasible, each school and day care

1 center is required to adopt an integrated pest management
2 program that incorporates the guidelines developed by the
3 Department. If adopting an integrated pest management program
4 would not be economically feasible because it would result in
5 an increase in the school's or day care center's pest control
6 cost, the school district or day care center must provide
7 written notification to the Department. The notification
8 must include projected pest control costs for the term of the
9 pest control program and projected costs for implementing
10 integrated pest management for that same time period. The
11 Department shall make this notification available to the
12 general public upon request. In implementing an integrated
13 pest management program, a school or day care center employee
14 should be designated to assume responsibility for the
15 oversight of pest management practices in that school or day
16 care center and for recordkeeping requirements.

17 (c) The Structural Pest Control Advisory Council shall
18 assist the Department in developing the guidelines for
19 integrated pest management programs. In developing the
20 guidelines, the Council shall consult with individuals
21 knowledgeable in the area of integrated pest management.

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

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

27 (225 ILCS 235/10.3)

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

29 Sec. 10.3. Notification. School districts and day care
30 centers must maintain a registry of parents and guardians of
31 students and employees who have registered to receive written
32 notification prior to application of pesticides to school
33 property or day care centers or provide written notification

1 to all parents and guardians of students before such
2 pesticide application. Written notification may be included
3 in newsletters, bulletins, calendars, or other correspondence
4 currently published by the school district or day care
5 center. The written notification must be given at least 2
6 business days before application of the pesticide application
7 and should identify the intended date of the application of
8 the pesticide and the name and telephone contact number for
9 the school or day care center personnel responsible for the
10 pesticide application program. Prior written notice shall
11 not be required if there is an imminent threat to health or
12 property. If such a situation arises, the appropriate school
13 or day care center personnel must sign a statement describing
14 the circumstances that gave rise to the health threat and
15 ensure that written notice is provided as soon as
16 practicable. For purposes of this Section, pesticides
17 subject to notification requirements shall not include (i) an
18 antimicrobial agent, such as disinfectant, sanitizer, or
19 deodorizer, or (ii) insecticide baits and rodenticide baits.
20 (Source: P.A. 91-525, eff. 8-1-00.)

21 Section 99. Effective date. This Act takes effect on
22 July 1, 2004."