



Rep. Karen May

**Filed: 2/8/2012**

09700HB4030ham001

LRB097 15945 JDS 65615 a

1 AMENDMENT TO HOUSE BILL 4030

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4030 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Lawn Care Products Application and Notice  
5 Act is amended by changing Section 3 as follows:

6 (415 ILCS 65/3) (from Ch. 5, par. 853)

7 Sec. 3. Notification requirements for application of lawn  
8 care products.

9 (a) Lawn Markers.

10 (1) Immediately following application of lawn care  
11 products to a lawn, other than a golf course, an applicator  
12 for hire shall place a lawn marker at the usual point or  
13 points of entry.

14 (2) The lawn marker shall consist of a 4 inch by 5 inch  
15 sign, vertical or horizontal, attached to the upper portion  
16 of a dowel or other supporting device with the bottom of

1 the marker extending no less than 12 inches above the turf.

2 (3) The lawn marker shall be white and lettering on the  
3 lawn marker shall be in a contrasting color. The marker  
4 shall state on one side, in letters of not less than 3/8  
5 inch, the following: "LAWN CARE APPLICATION - STAY OFF  
6 GRASS UNTIL DRY - FOR MORE INFORMATION CONTACT: (here shall  
7 be inserted the name and business telephone number of the  
8 applicator for hire)."

9 (4) The lawn marker shall be removed and discarded by  
10 the property owner or resident, or such other person  
11 authorized by the property owner or resident, on the day  
12 following the application. The lawn marker shall not be  
13 removed by any person other than the property owner or  
14 resident or person designated by such property owner or  
15 resident.

16 (5) For applications to residential properties of 2  
17 families or less, the applicator for hire shall be required  
18 to place lawn markers at the usual point or points of  
19 entry.

20 (6) For applications to residential properties of 2  
21 families or more, or for application to other commercial  
22 properties, the applicator for hire shall place lawn  
23 markers at the usual point or points of entry to the  
24 property to provide notice that lawn care products have  
25 been applied to the lawn.

26 (b) Notification requirement for application of plant

1 protectants on golf courses.

2 (1) Blanket posting procedure. Each golf course shall  
3 post in a conspicuous place or places an all-weather poster  
4 or placard stating to users of or visitors to the golf  
5 course that from time to time plant protectants are in use  
6 and additionally stating that if any questions or concerns  
7 arise in relation thereto, the golf course superintendent  
8 or his designee should be contacted to supply the  
9 information contained in subsection (c) of this Section.

10 (2) The poster or placard shall be prominently  
11 displayed in the pro shop, locker rooms and first tee at  
12 each golf course.

13 (3) The poster or placard shall be a minimum size of 8  
14 1/2 by 11 inches and the lettering shall not be less than  
15 1/2 inch.

16 (4) The poster or placard shall read: "PLANT  
17 PROTECTANTS ARE PERIODICALLY APPLIED TO THIS GOLF COURSE.  
18 IF DESIRED, YOU MAY CONTACT YOUR GOLF COURSE SUPERINTENDENT  
19 FOR FURTHER INFORMATION."

20 (c) Information to Customers of Applicators for Hire. At  
21 the time of application of lawn care products to a lawn, an  
22 applicator for hire shall provide the following information to  
23 the customer:

24 (1) The brand name, common name, and scientific name of  
25 each lawn care product applied;

26 (2) The type of fertilizer or pesticide contained in

1 the lawn care product applied;

2 (3) The reason for use of each lawn care product  
3 applied;

4 (4) The range of concentration of end use product  
5 applied to the lawn and amount of material applied;

6 (5) Any special instruction appearing on the label of  
7 the lawn care product applicable to the customer's use of  
8 the lawn following application;

9 (6) The business name and telephone number of the  
10 applicator for hire as well as the name of the person  
11 actually applying lawn care products to the lawn; and

12 (7) Upon the request of a customer or any person whose  
13 property abuts or is adjacent to the property of a customer  
14 of an applicator for hire, a copy of the material safety  
15 data sheet and approved pesticide registration label for  
16 each applied lawn care product.

17 (d) Prior notification of application to lawn. In the case  
18 of all lawns other than golf courses:

19 (1) Any neighbor whose property abuts or is adjacent to  
20 the property of a customer of an applicator for hire may  
21 receive prior notification of an application by contacting  
22 the applicator for hire and providing his name, address and  
23 telephone number.

24 (2) At least the day before a scheduled application, an  
25 applicator for hire shall provide notification to a person  
26 who has requested notification pursuant to paragraph (1) of

1           this subsection (d), such notification to be made in  
2           writing, in person, or by telephone or any other electronic  
3           means, disclosing the date and approximate time of day of  
4           application.

5           (3) In the event that an applicator for hire is unable  
6           to provide prior notification to a neighbor whose property  
7           abuts or is adjacent to the property because of the absence  
8           or inaccessibility of the individual, at the time of  
9           application to a customer's lawn, the applicator for hire  
10          shall leave a written notice at the residence of the person  
11          requesting notification, which shall provide the  
12          information specified in paragraph (2) of this subsection  
13          (d).

14          (e) Prior notification of application to golf courses.

15          (1) Any landlord or resident with property that abuts  
16          or is adjacent to a golf course may receive prior  
17          notification of an application of lawn care products or  
18          plant protectants, or both, by contacting the golf course  
19          superintendent and providing his name, address and  
20          telephone number.

21          (2) At least the day before a scheduled application of  
22          lawn care products or plant protectants, or both, the golf  
23          course superintendent shall provide notification to any  
24          person who has requested notification pursuant to  
25          paragraph (1) of this subsection (e), such notification to  
26          be made in writing, in person, or by telephone or any other

1       electronic means, disclosing the date and approximate time  
2       of day of application.

3           (3) In the event that the golf course superintendent is  
4       unable to provide prior notification to a landlord or  
5       resident because of the absence or inaccessibility, at the  
6       time of application, of the landlord or resident, the golf  
7       course superintendent shall leave a written notice with the  
8       landlord or at the residence which shall provide the  
9       information specified in paragraph (2) of this subsection  
10      (e).

11      (f) Notification for applications of pesticides to day care  
12      center grounds other than day care center structures and school  
13      grounds other than school structures.

14           (1) The owner or operator of a day care center must  
15      either (i) maintain a registry of parents and guardians of  
16      children in his or her care who have registered to receive  
17      written notification before the application of pesticide  
18      to day care center grounds and notify persons on that  
19      registry before applying pesticides or having pesticide  
20      applied to day care center grounds or (ii) provide written  
21      or telephonic notice to all parents and guardians of  
22      children in his or her care before applying pesticide or  
23      having pesticide applied to day care center grounds.

24           (2) School districts must either (i) maintain a  
25      registry of parents and guardians of students who have  
26      registered to receive written or telephonic notification

1 before the application of pesticide to school grounds and  
2 notify persons on that list before applying pesticide or  
3 having pesticide applied to school grounds or (ii) provide  
4 written or telephonic notification to all parents and  
5 guardians of students before applying pesticide or having  
6 pesticide applied to school grounds.

7 (3) Written notification required under item (1) or (2)  
8 of subsection (f) of this Section may be provided  
9 electronically or included in newsletters, calendars, or  
10 other correspondence currently published by the school  
11 district, but posting on a bulletin board is not  
12 sufficient. The written, electronic, or telephonic  
13 notification must be given at least 4 business days before  
14 application of the pesticide and should identify the  
15 intended date of the application of the pesticide and the  
16 name and telephone contact number for the school personnel  
17 responsible for the pesticide application program or, in  
18 the case of a day care center, the owner or operator of the  
19 day care center. Prior notice shall not be required if  
20 there is imminent threat to health or property. If such a  
21 situation arises, the appropriate school personnel or, in  
22 the case of a day care center, the owner or operator of the  
23 day care center must sign a statement describing the  
24 circumstances that gave rise to the health threat and  
25 ensure that written or telephonic notice is provided as  
26 soon as practicable.

1       (g) Notification of application on park property other than  
2 golf courses.

3           (1) Each park district applicator for hire must: (i)  
4 maintain a registry of persons who are residents of the  
5 park district who have registered to receive written  
6 notification before a fertilizer, pesticide, or plant  
7 protectant is applied to park district property other than  
8 a golf course and (ii) provide written notification to  
9 those persons on that registry before applying a  
10 fertilizer, pesticide, or plant protectant on that  
11 property.

12           (2) The written notification required under item (1)  
13 may be included in newsletters, calendars, or other  
14 correspondence or provided electronically, but posting on  
15 a bulletin board is not sufficient. The written  
16 notification must be given at least 4 business days before  
17 application of the fertilizer, pesticide, or plant  
18 protectant and should identify the intended date of the  
19 application and the name and telephone contact number of  
20 the person who is responsible for the application program.  
21 Prior notice shall not be required if there is imminent  
22 threat to health or property. If such a situation arises,  
23 the person who is responsible for the application program  
24 must sign a statement describing the circumstances that  
25 gave rise to the health threat and ensure that written  
26 notice is provided to persons on the registry as soon as is



1           practical.

2           (h) Schools, park districts, and the owners and operators  
3 of day care centers are encouraged to publicize the  
4 availability of the registries required under this Section.

5           (Source: P.A. 96-424, eff. 8-13-09.)".