

SB3565



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3565

Introduced 2/14/2014, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

415 ILCS 60/3

from Ch. 5, par. 803

Amends the Illinois Pesticide Act. Provides that the regulation of pesticides by any political subdivision of this State, including home rule units, is specifically prohibited except for counties with a population over 2,000,000 and municipalities entirely within Cook County with a population over 50,000.

LRB098 20146 MGM 55461 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
5 changing Section 3 as follows:

6 (415 ILCS 60/3) (from Ch. 5, par. 803)

7 Sec. 3. Delegation of Authority. The Illinois Department of
8 Agriculture shall administer "The Illinois Pesticide Act".

9 1. It shall be the duty of the Department of Agriculture to
10 enforce this Act and such provisions of other Acts intended to
11 control the registration, purchase, use, storage and disposal
12 of pesticides, unless otherwise specified in this Section.
13 Also, the Department of Agriculture shall control the purchase
14 and use of pesticides pertaining to the production, protection,
15 care, storage, or transportation of agricultural commodities
16 and to control the use of pesticides applied by agricultural
17 equipment. Also, the Department shall establish and implement
18 an Agrichemical Facility Response Action Program as provided in
19 Section 19.3.

20 2. It shall be the duty of the Department of Public Health
21 to enforce such provisions of this Act and other Acts intended
22 to control structural pest pesticides, as defined in
23 subparagraph 37 of Section 4, of this Act. It shall be the duty

1 of the Department of Public Health to enforce such provisions
2 of this Act related to vector control, control of pestiferous
3 and disease carrying insects, rodents and other animals, and
4 control of birds and other mammals that may pose a threat to
5 the health of the public.

6 3. It shall be the duty of the Environmental Protection
7 Agency to enforce such provisions of this Act and other Acts
8 intended to protect and preserve the quality of air, water, and
9 guard against unreasonable contamination of land resources.

10 4. The regulation of pesticides by any political
11 subdivision of this State, including home rule units, is
12 specifically prohibited except for counties ~~and municipalities~~
13 with a population over 2,000,000 and municipalities entirely
14 within Cook County with a population over 50,000. The
15 regulation of pesticides under this Act is an exclusive power
16 and function of the State, except as provided in this
17 paragraph, and is a denial and limitation, under Article VII,
18 Section 6, subsection (h) of the Illinois Constitution, of the
19 power of a home rule unit to regulate pesticides.

20 (Source: P.A. 89-94, eff. 7-6-95.)