



Sen. David S. Luechtefeld

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09900SB2910sam002

LRB099 15944 SLF 47544 a

1 AMENDMENT TO SENATE BILL 2910

2 AMENDMENT NO. _____. Amend Senate Bill 2910, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Noxious Weed Law is amended by
6 changing Sections 2, 4, and 14 as follows:

7 (505 ILCS 100/2) (from Ch. 5, par. 952)

8 Sec. 2. As used in this Act: (1) "Person" means any
9 individual, partnership, firm, corporation, company, society,
10 association, the State or any department, agency, or
11 subdivision thereof, or any other entity.

12 (2) "Control", "controlled" or "controlling" includes
13 being in charge of or being in possession, whether as owner,
14 lessee, renter, or tenant, under statutory authority, or
15 otherwise.

16 (3) "Director" means the Director of the Department of

1 Agriculture of the State of Illinois, or his or her duly
2 appointed representative.

3 (4) "Department" means the Department of Agriculture of the
4 State of Illinois.

5 (5) "Noxious weed" means any plant which is determined by
6 the Director, the Dean of the College of Agricultural, Consumer
7 and Environmental Sciences ~~Agriculture~~ of the University of
8 Illinois and the Director of the Agricultural Experiment
9 Station at the University of Illinois, to be injurious to
10 public health, crops, livestock, land or other property.

11 (6) "Control Authority" means the governing body of each
12 county, and shall represent all rural areas and cities,
13 villages and townships within the county boundaries.

14 (7) "Applicable fund" means the fund current at the time
15 the work is performed or the money is received.

16 (Source: P.A. 77-1037.)

17 (505 ILCS 100/4) (from Ch. 5, par. 954)

18 Sec. 4. The duty of enforcing this Act and carrying out its
19 provisions is vested in the Director, and the authorities
20 designated in this Act acting under the supervision and
21 direction of the Director. If a Control Authority fails to
22 carry out its duties and responsibilities under this Act or
23 fails to follow the Department's rules, the Director shall
24 enforce this Act or rules by sending a Notice of Noncompliance
25 to the Control Authority. The Director, the Dean of the College

1 of Agricultural, Consumer and Environmental Sciences
2 ~~Agriculture~~ of the University of Illinois and the Director of
3 the Agricultural Experiment Station at the University of
4 Illinois, shall determine what weeds are noxious for the
5 purposes of this Act, and shall compile and keep current a list
6 of such noxious weeds, which list shall be published and
7 incorporated in the rules and regulations of the Department.
8 The Director shall, from time to time, adopt and publish
9 methods as official for control and eradication of noxious
10 weeds and make and publish such rules and regulations as in his
11 judgment are necessary to carry out the provisions of this Act.
12 (Source: P.A. 77-1037.)

13 (505 ILCS 100/14) (from Ch. 5, par. 964)

14 Sec. 14. To prevent the dissemination of noxious weeds
15 through any article, including machinery, equipment, plants,
16 materials and other things, the Director, in consultation with
17 the Dean of the College of Agricultural, Consumer and
18 Environmental Sciences ~~Agriculture~~ of the University of
19 Illinois and the Director of the Agricultural Experiment
20 Station at the University of Illinois, shall, from time to
21 time, publish a list of noxious weeds which may be disseminated
22 through articles and a list of articles capable of
23 disseminating such weeds, and designate treatment of such
24 articles as, in his opinion, would prevent such dissemination.
25 Until such article is treated in accordance with the applicable

1 regulations, it shall not be moved from such premises except
2 under and in accordance with the written permission of the
3 Control Authority having jurisdiction of the area in which such
4 article is located, and the Control Authority may hold or
5 prevent its movement from such premises. The movement of any
6 such article which has not been so decontaminated, except in
7 accordance with such written permission, may be stopped by the
8 Control Authority having jurisdiction over the place in which
9 such movement is taking place and further movement and
10 disposition shall only be in accordance with such Control
11 Authority's direction.

12 (Source: P.A. 77-1037.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."