LRB9203727LBgcB

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AN ACT concerning radon.

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

Section 5. The Radon Industry Licensing Act is amended
by changing Sections 20 and 35 as follows:

6 (420 ILCS 44/20)

7 Sec. 20. General powers.

8 (a) The Department may undertake projects to determine 9 whether and to what extent radon and radon progeny are 10 present in dwellings and other buildings, to determine to 11 what extent their presence constitutes a risk to public 12 health, and to determine what measures are effective in 13 reducing and preventing the risk to public health.

14 (b) In addition to other powers granted under this Act,15 the Department is authorized to:

16 (1) Establish a program for measuring radon or17 radon progeny in dwellings and other buildings.

18 (2) Conduct surveys and studies in cooperation with the Department of Natural Resources and the Department of 19 20 Public Health to determine the distribution and concentration of radon or radon progeny in dwellings and 21 22 other buildings and the associated health risk and to evaluate measures that may be used to mitigate a present 23 or potential health risk. 24

25 (3) Enter into dwellings and other buildings with
26 the consent of the owner or occupant to engage in
27 monitoring activities or to conduct remedial action
28 studies or programs.

29 (4) Enter into contracts for projects undertaken
30 pursuant to subsection (a).

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(5) Enter into agreements with other departments,

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agencies, and subdivisions of the federal government, the
 State, and units of local government to implement this
 Act.

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(6) Establish training and educational programs.

5 (7) Apply for, accept, and use grants or other 6 financial assistance and accept and use gifts of money or 7 property to implement this Act.

8 (8) Provide technical assistance to persons and to 9 other State departments, agencies, political 10 subdivisions, units of local government, and school 11 districts.

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(9) Prescribe forms for application for licensure.

13 (10) Establish the minimum qualifications for 14 licensure, including requirements for examinations or 15 performance testing, and issue licenses to persons found 16 to be qualified.

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(10.5) Investigate any unlicensed activity.

18 (11) Conduct hearings or proceedings to revoke,
19 suspend, or refuse to issue or renew a license, or assess
20 <u>civil penalties</u>.

21 (12) Adopt rules for the administration and22 enforcement of this Act.

(13) Establish by rule the application and
inspection fees for the licensing program.
(Source: P.A. 90-262, eff. 7-30-97.)

26 (420 ILCS 44/35)

27 Sec. 35. Penalties.

(a) A person required to be licensed under Section 25 of this Act who sells a device or performs a service without being properly licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$5,000, for each offense, as determined by the Department. Any person 1 assessed a civil penalty under this Section shall be afforded 2 an opportunity for hearing in accordance with Department 3 regulations prior to final action by the Department. The 4 civil penalty must be paid within 30 days after the order 5 becomes a final and binding administrative determination.

(b) A person who violates a provision of this Act shall б 7 be guilty of a business offense and shall be fined not less than \$500 nor more than \$1,000 for the first offense and 8 9 shall be guilty of a Class A misdemeanor for a subsequent 10 offense. Each day that a violation continues constitutes a separate offense. A licensed radon contractor found guilty 11 of a violation of a provision of this Act shall automatically 12 have his or her license terminated by the Department. 13

14 (Source: P.A. 90-262, eff. 7-30-97.)

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