

1 AN ACT concerning professional regulation.

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

4 Section 5. The Structural Pest Control Act is amended by  
5 changing Sections 3.11, 4, 6, 9, and 22 as follows:

6 (225 ILCS 235/3.11) (from Ch. 111 1/2, par. 2203.11)

7 Sec. 3.11. "Commercial Structural Pest Control Business"  
8 means any business in the course of which any person  
9 performs, advertises, or contracts to perform structural pest  
10 control services on property under the ownership or control  
11 of another ~~in-exchange-for-any-consideration~~.

12 (Source: P.A. 82-725.)

13 (225 ILCS 235/4) (from Ch. 111 1/2, par. 2204)

14 Sec. 4. Licensing and registration location  
15 requirements).

16 (a) It shall be unlawful for any person to engage in a  
17 commercial structural pest control business at any location  
18 in this State or within Illinois from any location outside  
19 this State, ~~after--October--21,--1977~~, unless such person is  
20 licensed by the Department. A person shall have a separate  
21 license for each commercial structural pest control business  
22 location. ~~It-shall-also-be-unlawful-for-any-person-to-engage~~  
23 ~~in-a-commercial-pest-control-business-in--Illinois--from--any~~  
24 ~~location-outside-this-State-unless-such-person-is-licensed-by~~  
25 ~~this---Department~~. The licensee may use its state  
26 identification number in all forms of advertising.

27 (b) It shall be unlawful for any person who owns or  
28 operates a non-commercial structural pest control location to  
29 engage in non-commercial structural pest control using  
30 restricted pesticides in this State ~~after-October-21,--1977~~,

1 unless registered as a non-commercial structural pest control  
2 location by the Department.

3 (c) No person shall be licensed or registered as a  
4 commercial or non-commercial structural pest control business  
5 at any location without complying with the certification  
6 requirements as prescribed in Section 5 of this Act.

7 (d) If a licensee or registrant changes its location of  
8 operation during the year of issuance, the Department shall  
9 be notified in writing of the new location within 15 days.  
10 The old license or registration shall accompany the  
11 notification along with the fee as prescribed in Section 9 of  
12 this Act be-surrendered and, upon receipt, a replacement will  
13 be issued by the Department for-a-fee-of-\$10.

14 (e) All licenses and registrations issued under this Act  
15 shall expire on December 31 of the year issued, except that  
16 an original license or registration issued after October 1  
17 and before December 31 shall expire on December 31 of the  
18 following year. A license or registration may be renewed by  
19 filing a completed renewal making application on--a form as  
20 prescribed by regulation and the-Department-and-by-paying the  
21 fee prescribed in Section 9 with the Department no later than  
22 December 1 preceding the date of expiration. Applications  
23 received by the Department postmarked after December 1 but  
24 before December 31 shall be accompanied by the required late  
25 filing fee as prescribed in Section 9. License or  
26 registration applications postmarked after December 31 will  
27 not be eligible for renewal required-by--this--Act. Renewal  
28 applications--shall--be--filed--with--the-Department-prior-to  
29 December-1-of-each-year.

30 (f) No license or registration shall be transferable  
31 from one person to another.

32 (g) No person shall be licensed as a commercial pest  
33 control business location without complying with the  
34 insurance requirements of Section 9 of this Act.

1 (Source: P.A. 83-825.)

2 (225 ILCS 235/6) (from Ch. 111 1/2, par. 2206)

3 Sec. 6. Renewal of technician certification.

4 ~~Certificate--renewal}~~. A certified technician's certificate  
5 shall be valid for a period of 3 years expiring on December  
6 31 of the third year, except that an original certificate  
7 issued between October 1 and December 31 shall expire on  
8 December 31 of the third full calendar year following  
9 issuance. ~~and--must--be--renewed--by-January-1-of-each-third~~  
10 ~~year.~~ A certificate may be renewed by application upon a  
11 form prescribed by the Department, provided that the  
12 certified technician provides the following:

13 (1) A renewal application filed with the Department  
14 and postmarked no later than the December 1 preceding the  
15 date of expiration. Applications received by the  
16 Department after December 1 shall be accompanied by the  
17 required late filing charge prescribed in Section 9 of  
18 this Act.

19 (2) Evidence attached to the renewal application or  
20 on file with the Department of acquiring, during the  
21 certification period, a minimum of 9 classroom contact  
22 hours of training in areas covered by the technician's  
23 certificate at the Department approved pest control  
24 training seminars.

25 (3) The required fee as prescribed in Section 9 of  
26 this Act. ~~furnishes-evidence-that-he-has-attended,-during~~  
27 ~~the--3--year-period-at-least-one-training-seminar-and-any~~  
28 ~~additional-approved-seminar-on--structural--pest--control~~  
29 ~~required--by-any-rule-promulgated-under-this-Act-and-pays~~  
30 ~~the-fee-required-by-this-Act.--Renewal-applications-shall~~  
31 ~~be--filed--with--the--Department--prior--to--December---1~~  
32 ~~preceding-the-date-of-expiration.~~

33 Certified technician's certificates are not transferable

1 from one person to another person, and no licensee or  
 2 registrant shall use the certificate of a certified  
 3 technician to secure or hold a license or registration unless  
 4 the holder of such certificate is actively engaged in the  
 5 direction of pest control operations of the licensee or  
 6 registrant.

7 A certified technician who has not renewed a his  
 8 certificate for a period of not more than one year after its  
 9 expiration may secure a renewal upon payment of the renewal  
 10 fee, late filing charge and the furnishing of evidence of  
 11 training in accordance with item (2) of this Section as--may  
 12 ~~be--required--by--the--Department.~~ If a technician has not  
 13 renewed the his certificate for a period of more than one  
 14 year after its expiration, the technician he shall file an  
 15 original application for examination, pay all required fees  
 16 including, but not limited to, renewal examination fees or  
 17 late filing fees, and successfully pass the examination  
 18 before his certificate is renewed.

19 Any individual who fails to renew a certification by the  
 20 date of expiration shall suspend the performance of all pest  
 21 control activities under this Act until the requirements of  
 22 this Section have been met and a certificate is issued by the  
 23 Department.

24 (Source: P.A. 83-825.)

25 (225 ILCS 235/9) (from Ch. 111 1/2, par. 2209)  
 26 Sec. 9. Fees and required insurance.

27 (a) The fees required by this Act are as follows:

28 (1) The fee for an original commercial structural  
 29 pest control business license is \$250, and the fee for  
 30 each renewal of the commercial structural pest control  
 31 business license is \$150.

32 (2) The fee for an original non-commercial  
 33 structural pest control business registration is \$200,

1 and the fee for each renewal of the non-commercial  
2 structural pest control registration is \$125.

3 (3) The fee for an application for examination as a  
4 certified technician including an original certificate is  
5 \$75, and the fee for each renewal of the certified  
6 technician license is \$75.

7 (4) The fee for an application for examination in  
8 sub-categories not previously examined of for  
9 reexamination as a certified technician in areas  
10 previously failed is \$50.

11 (5) The fee for replacement of licenses,  
12 registrations, or certifications is \$25.

13 (6) The fee for late filing for any license,  
14 registration, or certification is \$75.

15 (7) The fee for multiple copies of this Act and the  
16 rules adopted under this Act or for any category or  
17 sub-category of training materials is \$5 per copy of  
18 each.

19 ~~(a) For an original license and each renewal~~  
20 ~~\$100.~~

21 ~~(b) For an original registration and each renewal~~  
22 ~~\$50.~~

23 ~~(c) For each certificate renewal \$40.~~

24 ~~(d) For an application for examination including an~~  
25 ~~original certificate \$40.~~

26 ~~(e) Any person who fails to file a renewal~~  
27 ~~application by the date of expiration of a license,~~  
28 ~~certification or registration shall be assessed a late~~  
29 ~~filing charge of \$75.~~

30 ~~(f) For duplicate copies of certificates, licenses~~  
31 ~~or registrations \$10.~~

32 All fees shall be paid by check or money order. Any fee  
33 required by this Act is not refundable in the event that the  
34 original application or application for renewal is denied.

1       **(b)** Every application for an original commercial  
2 structural pest control business location license shall be  
3 accompanied by a certificate of insurance issued by an  
4 insurance company authorized to do business in the State of  
5 Illinois or by a risk retention or purchasing group formed  
6 pursuant to the federal Liability Risk Retention Act of 1986,  
7 which provides primary, first dollar public liability  
8 coverage of the applicant or licensee for personal injuries  
9 for not less than \$100,000 per person, or \$300,000 per  
10 occurrence, and, in addition, for not less than \$50,000 per  
11 occurrence for property damage, resulting from structural  
12 pest control. The insurance policy shall be in effect at all  
13 times during the license year and a new certificate of  
14 insurance shall be filed with the Department within 30 days  
15 after the renewal of the insurance policy. Each application  
16 for renewal of a commercial structural pest control location  
17 license shall also include a certificate of insurance as  
18 detailed above unless a valid certificate of insurance is  
19 already on file with the Department. Applicants for  
20 registration or registration renewal shall not be required to  
21 provide evidence of public liability insurance coverage.

22       All administrative civil fines and fees collected  
23 pursuant to this Act shall be deposited into the Pesticide  
24 Control Fund established pursuant to the Illinois Pesticide  
25 Act. The amount annually collected as administrative civil  
26 fines and fees shall be appropriated by the General Assembly  
27 to the Department for the purposes of conducting a public  
28 education program on the proper use of pesticides and for  
29 other activities related to enforcement of this Act and the  
30 Illinois Pesticide Act.

31       (Source: P.A. 87-703.)

32       (225 ILCS 235/22) (from Ch. 111 1/2, par. 2222)  
33       Sec. 22. Scope of Act}. The provisions of this Act

1 apply to any structural pest control operations performed by  
2 the State or agency thereof. However, the Department State  
3 ~~er--agency--thereof~~ or any local health department unit-of  
4 ~~local-government~~ shall not be required to pay any fees, nor  
5 shall the employees thereof engaged in pest control  
6 activities in their official capacity be required to pay any  
7 fees for examination, certification or renewal of  
8 certification ~~in--the--sub-categories--of--either-(f)-or-(g)~~  
9 ~~specified-in-Section-7-of-this-Act.~~

10 This Act does not apply to any person certified by the  
11 Illinois Department of Agriculture to use restricted  
12 pesticides in structures on his own individual property.

13 (Source: P.A. 82-725.)