

AN ACT concerning child care facilities.

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

Section 5. The Child Care Act of 1969 is amended by
adding Section 5.6 as follows:

(225 ILCS 10/5.6 new)

Sec. 5.6. Pesticide application at day care centers.

(a) Licensed day care centers shall abide by the requirements of Sections 10.2 and 10.3 of the Structural Pest Control Act.

(b) Notification required pursuant to Section 10.3 of the Structural Pest Control Act may not be given more than 30 days before the application of the pesticide.

(c) Each licensed day care center, subject to the requirements of Section 10.3 of the Structural Pest Control Act, must ensure that pesticides will not be applied when children are present at the center. Toys and other items mouthed or handled by the children must be removed from the area before pesticides are applied. Children must not return to the treated area within 2 hours after a pesticide application or as specified on the pesticide label, whichever time is greater.

Section 10. The Structural Pest Control Act is amended
by changing Sections 2, 3, 10.2, and 10.3 and adding Section
3.27 as follows:

(225 ILCS 235/2) (from Ch. 111 1/2, par. 2202)

(Section scheduled to be repealed on January 1, 2007)

Sec. 2. Legislative intent. It is declared that there
exists and may in the future exist within the State of

Illinois locations where pesticides are received, stored, formulated or prepared and subsequently used for the control of structural pests, and improper selection, formulation and application of pesticides may adversely affect the public health and general welfare.

It is further established that the use of certain pesticides is restricted or may in the future be restricted to use only by or under the supervision of persons certified in accordance with this Act.

It is recognized that pests can best be controlled through an integrated pest management program that combines preventive techniques, nonchemical pest control methods, and the appropriate use of pesticides with preference for products that are the least harmful to human health and the environment. Integrated pest management is a good practice in the management of pest populations, and it is prudent to employ pest control strategies that are the least hazardous to human health and the environment.

Therefore, the purpose of this Act is to protect, promote and preserve the public health and general welfare by providing for the establishment of minimum standards for selection, formulation and application of restricted pesticides and to provide for the licensure of commercial structural pest control businesses, the registration of persons who own or operate non-commercial structural pest control locations where restricted pesticides are used, and the certification of pest control technicians.

It is also the purpose of this Act to reduce economic, health, and environmental risks by promoting the use of integrated pest management for structural pest control in schools and day care centers, by making guidelines on integrated pest management available to schools and day care centers.

(Source: P.A. 91-525, eff. 8-1-00.)

(225 ILCS 235/3) (from Ch. 111 1/2, par. 2203)

(Section scheduled to be repealed on January 1, 2007)

Sec. 3. Definitions.} As used in this Act, unless the context otherwise requires, the terms specified in Sections 3.01 through 3.27 ~~3-26~~ have the meanings ascribed to them in those Sections.

(Source: P.A. 91-525, eff. 8-1-00.)

(225 ILCS 235/3.27 new)

(Section scheduled to be repealed on January 1, 2007)

Sec. 3.27. "Day care center" means any structure used as a licensed day care center in this State.

(225 ILCS 235/10.2) (from Ch. 111 1/2, par. 2210.2)

(Section scheduled to be repealed on January 1, 2007)

Sec. 10.2. Integrated pest management guidelines.

(a) The Department shall prepare guidelines for an integrated pest management program for structural pest control practices at school buildings and other school facilities and day care centers. Such guidelines shall be made available to schools, day care centers and the public upon request.

(b) When economically feasible, each school and day care center is required to adopt an integrated pest management program that incorporates the guidelines developed by the Department. If adopting an integrated pest management program would not be economically feasible because it would result in an increase in the school's or day care center's pest control cost, the school district or day care center must provide written notification to the Department. The notification must include projected pest control costs for the term of the pest control program and projected costs for implementing integrated pest management for that same time period. The Department shall make this notification available to the

general public upon request. In implementing an integrated pest management program, a school or day care center employee should be designated to assume responsibility for the oversight of pest management practices in that school or day care center and for recordkeeping requirements.

(c) The Structural Pest Control Advisory Council shall assist the Department in developing the guidelines for integrated pest management programs. In developing the guidelines, the Council shall consult with individuals knowledgeable in the area of integrated pest management.

(d) The Department, with the assistance of the Cooperative Extension Service and other relevant agencies, may prepare a training program for school or day care center pest control specialists.

(Source: P.A. 91-525, eff. 8-1-00.)

(225 ILCS 235/10.3)

(Section scheduled to be repealed on January 1, 2007)

Sec. 10.3. Notification. School districts and day care centers must maintain a registry of parents and guardians of students and employees who have registered to receive written notification prior to application of pesticides to school property or day care centers or provide written notification to all parents and guardians of students before such pesticide application. Written notification may be included in newsletters, bulletins, calendars, or other correspondence currently published by the school district or day care center. The written notification must be given at least 2 business days before application of the pesticide application and should identify the intended date of the application of the pesticide and the name and telephone contact number for the school or day care center personnel responsible for the pesticide application program. Prior written notice shall not be required if there is an imminent threat to health or

property. If such a situation arises, the appropriate school or day care center personnel must sign a statement describing the circumstances that gave rise to the health threat and ensure that written notice is provided as soon as practicable. For purposes of this Section, pesticides subject to notification requirements shall not include (i) an antimicrobial agent, such as disinfectant, sanitizer, or deodorizer, or (ii) insecticide baits and rodenticide baits. (Source: P.A. 91-525, eff. 8-1-00.)

Section 99. Effective date. This Act takes effect on July 1, 2004.