



Sen. Don Harmon

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LRB099 10936 MGM 34263 a

1 AMENDMENT TO SENATE BILL 1626

2 AMENDMENT NO. _____. Amend Senate Bill 1626, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Lawn Care Products Application and Notice
6 Act is amended by changing Section 3 as follows:

7 (415 ILCS 65/3) (from Ch. 5, par. 853)

8 Sec. 3. Notification requirements for application of lawn
9 care products.

10 (a) Lawn Markers.

11 (1) Immediately following application of lawn care
12 products to a lawn, other than a golf course, an applicator
13 for hire shall place a lawn marker at the usual point or
14 points of entry.

15 (2) The lawn marker shall consist of a 4 inch by 5 inch
16 sign, vertical or horizontal, attached to the upper portion

1 of a dowel or other supporting device with the bottom of
2 the marker extending no less than 12 inches above the turf.

3 (3) The lawn marker shall be white and made of rigid
4 material. Lettering and lettering on the lawn marker shall
5 be in a contrasting color. The marker shall state on one
6 side, in letters of not less than 3/8 inch, the following:
7 "LAWN CARE APPLICATION - STAY OFF GRASS UNTIL DRY - FOR
8 MORE INFORMATION CONTACT: (here shall be inserted the name
9 and business telephone number of the applicator for hire)."

10 (4) The lawn marker shall be removed and discarded by
11 the property owner or resident, or such other person
12 authorized by the property owner or resident, on the day
13 following the application. The lawn marker shall not be
14 removed by any person other than the property owner or
15 resident or person designated by such property owner or
16 resident.

17 (5) For applications to residential properties of 2
18 families or less, the applicator for hire shall be required
19 to place lawn markers at or within view of the usual point
20 or points of entry and one marker at a prominent location
21 along the rear perimeter, unless access to the treated area
22 is impassable because of a fence, wall, hedge, or natural
23 topographic feature.

24 (6) For applications to residential properties of 2
25 families or more, or for application to other commercial
26 properties, the applicator for hire shall place lawn

1 markers at the usual point or points of entry to the
2 property to provide notice that lawn care products have
3 been applied to the lawn.

4 (b) Notification requirement for application of plant
5 protectants on golf courses.

6 (1) Blanket posting procedure. Each golf course shall
7 post in a conspicuous place or places an all-weather poster
8 or placard stating to users of or visitors to the golf
9 course that from time to time plant protectants are in use
10 and additionally stating that if any questions or concerns
11 arise in relation thereto, the golf course superintendent
12 or his designee should be contacted to supply the
13 information contained in subsection (c) of this Section.

14 (2) The poster or placard shall be prominently
15 displayed in the pro shop, locker rooms and first tee at
16 each golf course.

17 (3) The poster or placard shall be a minimum size of 8
18 1/2 by 11 inches and the lettering shall not be less than
19 1/2 inch.

20 (4) The poster or placard shall read: "PLANT
21 PROTECTANTS ARE PERIODICALLY APPLIED TO THIS GOLF COURSE.
22 IF DESIRED, YOU MAY CONTACT YOUR GOLF COURSE SUPERINTENDENT
23 FOR FURTHER INFORMATION."

24 (c) Information to Customers of Applicators for Hire. At
25 the time of application of lawn care products to a lawn, an
26 applicator for hire shall provide the following information to

1 the customer:

2 (1) The brand name, common name, and scientific name of
3 each lawn care product applied;

4 (2) The type of fertilizer or pesticide contained in
5 the lawn care product applied;

6 (3) The reason for use of each lawn care product
7 applied;

8 (4) The range of concentration of end use product
9 applied to the lawn and amount of material applied;

10 (5) Any special instruction appearing on the label of
11 the lawn care product applicable to the customer's use of
12 the lawn following application;

13 (6) The business name and telephone number of the
14 applicator for hire as well as the name of the person
15 actually applying lawn care products to the lawn; and

16 (7) Upon the request of a customer or any person whose
17 property abuts or is adjacent to the property of a customer
18 of an applicator for hire, a copy of the material safety
19 data sheet and approved pesticide registration label for
20 each applied lawn care product.

21 (d) Prior notification of application to lawn. In the case
22 of all lawns other than golf courses:

23 (1) Any neighbor whose property abuts or is adjacent to
24 the property of a customer of an applicator for hire may
25 receive prior notification of an application by contacting
26 the applicator for hire and providing his name, address and

1 telephone number.

2 (2) At least the day before a scheduled application, an
3 applicator for hire shall provide notification to a person
4 who has requested notification pursuant to paragraph (1) of
5 this subsection (d), such notification to be made in
6 writing, in person or by telephone, disclosing the date and
7 approximate time of day of application.

8 (3) In the event that an applicator for hire is unable
9 to provide prior notification to a neighbor whose property
10 abuts or is adjacent to the property because of the absence
11 or inaccessibility of the individual, at the time of
12 application to a customer's lawn, the applicator for hire
13 shall leave a written notice at the residence of the person
14 requesting notification, which shall provide the
15 information specified in paragraph (2) of this subsection
16 (d).

17 Failure to attempt to provide notification as requested in
18 paragraph (1) of this subsection (d) shall be considered a
19 violation subject to an administrative hearing under Section 7
20 of this Act.

21 (e) Prior notification of application to golf courses.

22 (1) Any landlord or resident with property that abuts
23 or is adjacent to a golf course may receive prior
24 notification of an application of lawn care products or
25 plant protectants, or both, by contacting the golf course
26 superintendent and providing his name, address and

1 telephone number.

2 (2) At least the day before a scheduled application of
3 lawn care products or plant protectants, or both, the golf
4 course superintendent shall provide notification to any
5 person who has requested notification pursuant to
6 paragraph (1) of this subsection (e), such notification to
7 be made in writing, in person or by telephone, disclosing
8 the date and approximate time of day of application.

9 (3) In the event that the golf course superintendent is
10 unable to provide prior notification to a landlord or
11 resident because of the absence or inaccessibility, at the
12 time of application, of the landlord or resident, the golf
13 course superintendent shall leave a written notice with the
14 landlord or at the residence which shall provide the
15 information specified in paragraph (2) of this subsection
16 (e).

17 (f) Notification for applications of pesticides to day care
18 center grounds other than day care center structures and school
19 grounds other than school structures.

20 (1) The owner or operator of a day care center must
21 either (i) maintain a registry of parents and guardians of
22 children in his or her care who have registered to receive
23 written notification before the application of pesticide
24 to day care center grounds and notify persons on that
25 registry before applying pesticides or having pesticide
26 applied to day care center grounds or (ii) provide written

1 or telephonic notice to all parents and guardians of
2 children in his or her care before applying pesticide or
3 having pesticide applied to day care center grounds.

4 (2) School districts must either (i) maintain a
5 registry of parents and guardians of students who have
6 registered to receive written or telephonic notification
7 before the application of pesticide to school grounds and
8 notify persons on that list before applying pesticide or
9 having pesticide applied to school grounds or (ii) provide
10 written or telephonic notification to all parents and
11 guardians of students before applying pesticide or having
12 pesticide applied to school grounds.

13 (3) Written notification required under item (1) or (2)
14 of subsection (f) of this Section may be included in
15 newsletters, calendars, or other correspondence currently
16 published by the school district, but posting on a bulletin
17 board is not sufficient. The written or telephonic
18 notification must be given at least 4 business days before
19 application of the pesticide and should identify the
20 intended date of the application of the pesticide and the
21 name and telephone contact number for the school personnel
22 responsible for the pesticide application program or, in
23 the case of a day care center, the owner or operator of the
24 day care center. Prior notice shall not be required if
25 there is imminent threat to health or property. If such a
26 situation arises, the appropriate school personnel or, in

1 the case of a day care center, the owner or operator of the
2 day care center must sign a statement describing the
3 circumstances that gave rise to the health threat and
4 ensure that written or telephonic notice is provided as
5 soon as practicable.

6 (Source: P.A. 96-424, eff. 8-13-09.)

7 Section 99. Effective date. This Act takes effect January
8 1, 2016."