



Rep. Laura Faver Dias

Filed: 4/6/2026

10400HB1596ham003

LRB104 08094 BDA 36098 a

1 AMENDMENT TO HOUSE BILL 1596

2 AMENDMENT NO. _____. Amend House Bill 1596 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Notice of State Restricted Pesticide Application Act.

6 Section 5. Definitions. As used in this Act:

7 "Day care center" has the meaning ascribed to it in the
8 Child Care Act of 1969.

9 "Large-scale broadcast pesticide application" means an
10 application of pesticide using broadcast methods to 5 or more
11 contiguous acres of land.

12 "Opt-in notice recipient" means a school official or an
13 administrator of a school, playground, public park, or day
14 care center who has affirmatively requested advance
15 notification of pesticide applications pursuant to Section 10.

16 "Park district administrator" means the executive

1 director, superintendent, or other chief administrative
2 officer of a park district, or a designee, as authorized under
3 the Park District Code.

4 "Pesticide" has the meaning ascribed to it in the Illinois
5 Pesticide Act.

6 "Pesticide applicator" means any certified applicator or
7 licensed operator as defined in the Illinois Pesticide Act.

8 "Playground" means a piece of land owned or controlled by
9 a unit of local government that is designated primarily for
10 children's recreation.

11 "Public park" means a park, forest preserve, or
12 conservation area under the jurisdiction of a park district or
13 unit of local government, for which administrative contact
14 information is publicly available.

15 "School" means any public or private preschool or public
16 or private elementary or secondary school.

17 "School official" means the principal or superintendent of
18 a school.

19 "State restricted use pesticide" means a pesticide
20 classified for restricted use by the U.S. Environmental
21 Protection Agency Administrator under the Federal Insecticide,
22 Fungicide, and Rodenticide Act and federal regulations at 40
23 CFR 152.160 through 152.175.

24 Section 10. Notice of application.

25 (a) Pesticide applicators or their employers performing

1 large-scale broadcast applications of State restricted use
2 pesticides shall, no later than January 15 of each calendar
3 year, provide a written blanket notification to each school,
4 playground, public park, or day care center located within
5 1,500 feet of a planned application area. The blanket
6 notification shall cover the period from April 1 through
7 September 30 of each calendar year.

8 (1) The blanket notification under this subsection (a)
9 shall include:

10 (A) a statement that large-scale broadcast
11 pesticide applications may occur during the covered
12 period;

13 (B) a general description of the geographic area
14 where applications may occur;

15 (C) a description of the right to opt in to receive
16 advance notice under subsection (b); and

17 (D) clear instructions for opting in, including
18 the method for designating a primary and alternate
19 contact person, and a deadline established under this
20 subsection.

21 (2) Schools, playgrounds, public parks, and day care
22 centers must submit a request to opt in to receive advance
23 notice under subsection (b) no later than March 1 of each
24 calendar year. A pesticide applicator or the applicator's
25 employer shall confirm receipt of, or respond to, an
26 opt-in request within 21 days after March 1.

1 (b) A pesticide applicator or the applicator's employer
2 shall provide advance written notice under this subsection (b)
3 only to opt-in notice recipients. Advance written notice shall
4 be provided at least 24 hours, but not more than 72 hours,
5 before performing a large-scale broadcast application of a
6 State restricted use pesticide within 1,500 feet of the
7 boundaries of a property of an opt-in notice recipient.

8 (1) Advance written notice shall be provided to:

9 (A) the school official for the opt-in recipient
10 school;

11 (B) the park district administrator for the opt-in
12 recipient public park or playground under the
13 jurisdiction of a park district or the appropriate
14 administrative official for the public park or
15 playground under the jurisdiction of another unit of
16 local government; or

17 (C) the administrator or owner for the opt-in
18 recipient day care center, as identified in the
19 publicly accessible database maintained by the
20 Department of Children and Family Services.

21 (2) Schools, playgrounds, public parks, and day care
22 centers are not required to provide advance written notice
23 for pesticide applications occurring on their own
24 properties.

25 (3) If the application time must be changed, the
26 applicator or employer shall provide updated notice as

1 soon as practicable and no less than 24 hours before the
2 revised application time, unless an exemption under
3 subsection (c) applies.

4 (4) At a minimum, advance written notice shall
5 include:

6 (A) the intended location and range of dates and
7 times during which the pesticide may be applied;

8 (B) the common name of each product to be applied;

9 (C) the type of pesticide, including whether it is
10 an herbicide, fungicide, or insecticide;

11 (D) the name and telephone number of the pesticide
12 applicator or the applicator's employer; and

13 (E) contact information for the Department of
14 Agriculture for pesticide misuse complaints.

15 (5) Advance written notice must be provided by
16 electronic mail. Opt-in recipients are responsible for
17 maintaining current contact information. A pesticide
18 applicator or employer is not liable for failure of notice
19 resulting from outdated or incorrect information provided
20 by an opt-in notice recipient.

21 (6) A pesticide applicator or the pesticide
22 applicator's employer may reasonably rely on publicly
23 available State-maintained or officially recognized
24 databases or directories to identify and provide advance
25 written notice to entities described in this Section and
26 shall not be liable for omissions resulting from

1 incomplete or outdated information contained in such
2 sources.

3 (c) The following are exempt from the requirements of this
4 Section:

5 (1) the application of a solid mosquito larvicide in
6 accordance with 8 Ill. Adm. Code 250.210 or successor
7 rules; and

8 (2) pesticide applications made in response to:

9 (A) disease-causing agents in vector mosquitoes;

10 (B) the occurrence of mosquito-borne disease in
11 animal or human populations; or

12 (C) a natural disaster recovery effort.

13 Section 15. Construction with other laws.

14 (a) Nothing in this Act authorizes pesticide application
15 during times prohibited by other Illinois statutes, including
16 the Pesticide Application at Schools Act.

17 (b) Notifications concerning pesticide applications to
18 rights-of-way are governed by the Pesticide Application on
19 Rights-of-Way Notification Act.

20 (c) Nothing in this Act shall be construed to limit the
21 application of any provision of the Lawn Care Products
22 Application and Notice Act.

23 Section 20. Penalties; rulemaking; review.

24 (a) Upon determination of a violation of this Act or any

1 rule adopted under this Act, the Department of Agriculture may
2 impose the following administrative penalties after notice and
3 opportunity for hearing:

4 (1) \$250 for a first violation;

5 (2) \$500 for a second violation; and

6 (3) \$1,000 for a third or subsequent violation.

7 (b) Penalties shall be deposited into the Pesticide
8 Control Fund. If an administrative penalty becomes final and
9 is unpaid 60 days after becoming final, the Attorney General
10 may collect the penalty in a civil action.

11 (c) The Department of Agriculture shall adopt rules to
12 administer and implement this Act. Final administrative
13 decisions are subject to judicial review under the
14 Administrative Review Law."