



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3054

Introduced 2/6/2025, by Rep. Barbara Hernandez

SYNOPSIS AS INTRODUCED:

225 ILCS 10/5.8

Amends the Child Care Act of 1969. In provisions concerning radon testing of licensed day care centers, licensed day care homes, and licensed group day care homes, requires mitigation when testing confirms radon levels above 4.0 pCi/L. Provides that mitigation shall be conducted according to industry standards. Provides that, if radon test results are at or above 4.0 pCi/L, the licensed day care center, licensed day care home, or licensed group day care home shall create a corrective action plan that shall include long-term radon tests that show levels below 4.0 pCi/L. Provides that, if radon test results exceed 8.0 pCi/L, initial applicants shall mitigate before a license is issued and license renewal applicants shall close operations until the radon standard of 4.0 pCi/L or lower is achieved.

LRB104 08897 AAS 18952 b

1 AN ACT concerning regulation.

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

4 Section 5. The Child Care Act of 1969 is amended by
5 changing Section 5.8 as follows:

6 (225 ILCS 10/5.8)

7 (Text of Section before amendment by P.A. 103-594)

8 Sec. 5.8. Radon testing of licensed day care centers,
9 licensed day care homes, and licensed group day care homes.

10 (a) Effective January 1, 2013, licensed day care centers,
11 licensed day care homes, and licensed group day care homes
12 shall have the facility tested for radon at least once every 3
13 years pursuant to rules established by the Illinois Emergency
14 Management Agency.

15 (b) Effective January 1, 2014, as part of an initial
16 application or application for renewal of a license for day
17 care centers, day care homes, and group day care homes, the
18 Department shall require proof the facility has been tested
19 within the last 3 years for radon pursuant to rules
20 established by the Illinois Emergency Management Agency.

21 (c) The report of the most current radon measurement shall
22 be posted in the facility next to the license issued by the
23 Department. Copies of the report shall be provided to parents

1 or guardians upon request.

2 (d) Included with the report referenced in subsection (c)
3 shall be the following statement:

4 "Every parent or guardian is notified that this
5 facility has performed radon measurements to ensure the
6 health and safety of the occupants. The Illinois Emergency
7 Management Agency (IEMA) recommends that all residential
8 homes be tested and that corrective actions be taken at
9 levels equal to or greater than 4.0 pCi/L. Radon is a Class
10 A human carcinogen, the leading cause of lung cancer in
11 non-smokers, and the second leading cause of lung cancer
12 overall. For additional information about this facility
13 contact the licensee and for additional information
14 regarding radon contact the IEMA Radon Program at
15 800-325-1245 or on the Internet at
16 www.radon.illinois.gov".

17 (e) On and after July 1, 2026, mitigation shall be
18 required when testing confirms radon levels above 4.0 pCi/L.
19 Mitigation shall be conducted according to industry standards.
20 If radon test results are at or above 4.0 pCi/L and below 8.0
21 pCi/L, the licensed day care center, licensed day care home,
22 or licensed group day care home shall create a corrective
23 action plan that shall include long-term radon tests that show
24 levels below 4.0 pCi/L. If radon test results exceed 8.0
25 pCi/L, initial applicants shall mitigate before a license is
26 issued and license renewal applicants shall close operations

1 until the radon standard of 4.0 pCi/L or lower is achieved.

2 (Source: P.A. 97-981, eff. 1-1-13.)

3 (Text of Section after amendment by P.A. 103-594)

4 Sec. 5.8. Radon testing of licensed day care centers,
5 licensed day care homes, and licensed group day care homes.

6 (a) Licensed day care centers, licensed day care homes,
7 and licensed group day care homes shall have the facility
8 tested for radon at least once every 3 years pursuant to rules
9 established by the Illinois Emergency Management Agency.

10 (b) As part of an initial application or application for
11 renewal of a license for day care centers, day care homes, and
12 group day care homes, the Department of Early Childhood shall
13 require proof the facility has been tested within the last 3
14 years for radon pursuant to rules established by the Illinois
15 Emergency Management Agency.

16 (c) The report of the most current radon measurement shall
17 be posted in the facility next to the license issued by the
18 Department of Early Childhood. Copies of the report shall be
19 provided to parents or guardians upon request.

20 (d) Included with the report referenced in subsection (c)
21 shall be the following statement:

22 "Every parent or guardian is notified that this
23 facility has performed radon measurements to ensure the
24 health and safety of the occupants. The Illinois Emergency
25 Management Agency (IEMA) recommends that all residential

1 homes be tested and that corrective actions be taken at
2 levels equal to or greater than 4.0 pCi/L. Radon is a Class
3 A human carcinogen, the leading cause of lung cancer in
4 non-smokers, and the second leading cause of lung cancer
5 overall. For additional information about this facility
6 contact the licensee and for additional information
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8 800-325-1245 or on the Internet at
9 www.radon.illinois.gov".

10 (e) On and after July 1, 2026, mitigation shall be
11 required when testing confirms radon levels above 4.0 pCi/L.
12 Mitigation shall be conducted according to industry standards.
13 If radon test results are at or above 4.0 pCi/L and below 8.0
14 pCi/L, the licensed day care center, licensed day care home,
15 or licensed group day care home shall create a corrective
16 action plan that shall include long-term radon tests that show
17 levels below 4.0 pCi/L. If radon test results exceed 8.0
18 pCi/L, initial applicants shall mitigate before a license is
19 issued and license renewal applicants shall close operations
20 until the radon standard of 4.0 pCi/L or lower is achieved.

21 (Source: P.A. 103-594, eff. 7-1-26.)

22 Section 95. No acceleration or delay. Where this Act makes
23 changes in a statute that is represented in this Act by text
24 that is not yet or no longer in effect (for example, a Section
25 represented by multiple versions), the use of that text does

1 not accelerate or delay the taking effect of (i) the changes
2 made by this Act or (ii) provisions derived from any other
3 Public Act.