



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB4523

Introduced 1/30/2026, by Rep. Diane Blair-Sherlock

#### SYNOPSIS AS INTRODUCED:

415 ILCS 60/4  
415 ILCS 60/6

from Ch. 5, par. 804  
from Ch. 5, par. 806

Amends the Illinois Pesticide Act. Provides that the statements that are to be provided by pesticide registrants under the Act must include either a specific statement that the pesticide to be registered contains no PFAS or, if the pesticide (including its active and inert ingredients) contains any PFAS, certain information regarding the PFAS, including the name of the specific chemical and the quantity of the chemical in the product. Provides that the Director of Agriculture shall not register any pesticide product that contains a chemical that is an intentionally added PFAS and that the use of any pesticide that contains any chemical that is an intentionally added PFAS is prohibited. Further provides, beginning January 1, 2030, that the use of any spray adjuvant that contains intentionally added PFAS is prohibited. Requires the Department of Agriculture to adopt rules to implement these provisions. Defines "PFAS" and "intentionally added PFAS".

LRB104 18016 BDA 31453 b

1 AN ACT concerning safety.

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

4 Section 5. The Illinois Pesticide Act is amended by  
5 changing Sections 4 and 6 as follows:

6 (415 ILCS 60/4) (from Ch. 5, par. 804)

7 Sec. 4. Definitions. As used in this Act:

8 1. "Director" means Director of the Illinois Department of  
9 Agriculture or his authorized representative.

10 2. "Active Ingredient" means any ingredient which will  
11 prevent, destroy, repel, control or mitigate a pest or which  
12 will act as a plant regulator, defoliant or desiccant.

13 3. "Adulterated" shall apply to any pesticide if the  
14 strength or purity is not within the standard of quality  
15 expressed on the labeling under which it is sold, distributed  
16 or used, including any substance which has been substituted  
17 wholly or in part for the pesticide as specified on the  
18 labeling under which it is sold, distributed or used, or if any  
19 valuable constituent of the pesticide has been wholly or in  
20 part abstracted.

21 4. "Agricultural Commodity" means produce of the land,  
22 including, but not limited to, plants and plant parts,  
23 livestock and poultry and livestock or poultry products,

1 seeds, sod, shrubs and other products of agricultural origin  
2 including the premises necessary to and used directly in  
3 agricultural production. Agricultural commodity also includes  
4 aquatic products, including any aquatic plants and animals or  
5 their by-products that are produced, grown, managed, harvested  
6 and marketed on an annual, semi-annual, biennial or short-term  
7 basis, in permitted aquaculture facilities.

8 5. "Animal" means all vertebrate and invertebrate species  
9 including, but not limited to, man and other mammals, birds,  
10 fish, and shellfish.

11 5.5. "Barrier mosquitocide" means a pesticide that is  
12 formulated to kill adult mosquitoes and that is applied so as  
13 to leave a residual mosquitocidal coating on natural or  
14 manmade surfaces. "Barrier mosquitocide" does not include a  
15 product that is exempt from registration under the Federal  
16 Insecticide, Fungicide, and Rodenticide Act, or rules adopted  
17 pursuant to that Act.

18 5.6. "Barrier mosquitocide treatment" means application of  
19 a barrier mosquitocide to a natural or manmade surface.

20 6. "Beneficial Insects" means those insects which during  
21 their life cycle are effective pollinators of plants,  
22 predators of pests or are otherwise beneficial.

23 7. "Certified applicator".

24 A. "Certified applicator" means any individual who is  
25 certified under this Act to purchase, use, or supervise  
26 the use of pesticides which are classified for restricted

1 use.

2 B. "Private applicator" means a certified applicator  
3 who purchases, uses, or supervises the use of any  
4 pesticide classified for restricted use, for the purpose  
5 of producing any agricultural commodity on property owned,  
6 rented, or otherwise controlled by him or his employer, or  
7 applied to other property if done without compensation  
8 other than trading of personal services between no more  
9 than 2 producers of agricultural commodities.

10 C. "Licensed Commercial Applicator" means a certified  
11 applicator, whether or not he is a private applicator with  
12 respect to some uses, who owns or manages a business that  
13 is engaged in applying pesticides, whether classified for  
14 general or restricted use, for hire. The term also applies  
15 to a certified applicator who uses or supervises the use  
16 of pesticides, whether classified for general or  
17 restricted use, for any purpose or on property of others  
18 excluding those specified by subparagraphs 7 (B), (D), (E)  
19 of Section 4 of this Act.

20 D. "Commercial Not For Hire Applicator" means a  
21 certified applicator who uses or supervises the use of  
22 pesticides classified for general or restricted use for  
23 any purpose on property of an employer when such activity  
24 is a requirement of the terms of employment and such  
25 application of pesticides under this certification is  
26 limited to property under the control of the employer only

1 and includes, but is not limited to, the use or  
2 supervision of the use of pesticides in a greenhouse  
3 setting. "Commercial Not For Hire Applicator" also  
4 includes a certified applicator who uses or supervises the  
5 use of pesticides classified for general or restricted use  
6 as an employee of a state agency, municipality, or other  
7 duly constituted governmental agency or unit.

8 8. "Defoliant" means any substance or combination of  
9 substances which cause leaves or foliage to drop from a plant  
10 with or without causing abscission.

11 9. "Desiccant" means any substance or combination of  
12 substances intended for artificially accelerating the drying  
13 of plant tissue.

14 10. "Device" means any instrument or contrivance, other  
15 than a firearm or equipment for application of pesticides when  
16 sold separately from pesticides, which is intended for  
17 trapping, repelling, destroying, or mitigating any pest, other  
18 than bacteria, virus, or other microorganisms on or living in  
19 man or other living animals.

20 11. "Distribute" means offer or hold for sale, sell,  
21 barter, ship, deliver for shipment, receive and then deliver,  
22 or offer to deliver pesticides, within the State.

23 12. "Environment" includes water, air, land, and all  
24 plants and animals including man, living therein and the  
25 interrelationships which exist among these.

26 13. "Equipment" means any type of instruments and

1 contrivances using motorized, mechanical or pressure power  
2 which is used to apply any pesticide, excluding pressurized  
3 hand-size household apparatus containing dilute ready to apply  
4 pesticide or used to apply household pesticides.

5 14. "FIFRA" means the Federal Insecticide, Fungicide, and  
6 Rodenticide Act, as amended.

7 15. "Fungi" means any non-chlorophyll bearing  
8 thallophytes, any non-chlorophyll bearing plant of a lower  
9 order than mosses or liverworts, as for example rust, smut,  
10 mildew, mold, yeast and bacteria, except those on or in living  
11 animals including man and those on or in processed foods,  
12 beverages or pharmaceuticals.

13 16. "Household Substance" means any pesticide customarily  
14 produced and distributed for use by individuals in or about  
15 the household.

16 17. "Imminent Hazard" means a situation which exists when  
17 continued use of a pesticide would likely result in  
18 unreasonable adverse effects on the environment or will  
19 involve unreasonable hazard to the survival of a species  
20 declared endangered by the U.S. Secretary of the Interior or  
21 to species declared to be protected by the Illinois Department  
22 of Natural Resources.

23 18. "Inert Ingredient" means an ingredient which is not an  
24 active ingredient.

25 19. "Ingredient Statement" means a statement of the name  
26 and percentage of each active ingredient together with the

1 total percentage of inert ingredients in a pesticide and for  
2 pesticides containing arsenic in any form, the ingredient  
3 statement shall include percentage of total and water soluble  
4 arsenic, each calculated as elemental arsenic. In the case of  
5 spray adjuvants the ingredient statement need contain only the  
6 names of the functioning agents and the total percent of those  
7 constituents ineffective as spray adjuvants.

8 20. "Insect" means any of the numerous small invertebrate  
9 animals generally having the body more or less obviously  
10 segmented for the most part belonging to the class Insects,  
11 comprised of six-legged, usually winged forms, as for example  
12 beetles, caterpillars, and flies. This definition encompasses  
13 other allied classes of arthropods whose members are wingless  
14 and usually have more than 6 legs as for example spiders,  
15 mites, ticks, centipedes, and millipedes.

16 21. "Label" means the written, printed or graphic matter  
17 on or attached to the pesticide or device or any of its  
18 containers or wrappings.

19 22. "Labeling" means the label and all other written,  
20 printed or graphic matter: (a) on the pesticide or device or  
21 any of its containers or wrappings, (b) accompanying the  
22 pesticide or device or referring to it in any other media used  
23 to disseminate information to the public, (c) to which  
24 reference is made to the pesticide or device except when  
25 references are made to current official publications of the U.  
26 S. Environmental Protection Agency, Departments of

1 Agriculture, Health, Education and Welfare or other Federal  
2 Government institutions, the state experiment station or  
3 colleges of agriculture or other similar state institution  
4 authorized to conduct research in the field of pesticides.

5 23. "Land" means all land and water area including  
6 airspace, and all plants, animals, structures, buildings,  
7 contrivances, and machinery appurtenant thereto or situated  
8 thereon, fixed or mobile, including any used for  
9 transportation.

10 24. "Licensed Operator" means a person employed to apply  
11 pesticides to the lands of others under the direction of a  
12 "licensed commercial applicator" or a "licensed commercial  
13 not-for-hire applicator".

14 25. "Nematode" means invertebrate animals of the phylum  
15 nemathelminthes and class nematoda, also referred to as nemas  
16 or eelworms, which are unsegmented roundworms with elongated  
17 fusiform or sac-like bodies covered with cuticle and  
18 inhabiting soil, water, plants or plant parts.

19 26. "Permit" means a written statement issued by the  
20 Director or his authorized agent, authorizing certain acts of  
21 pesticide purchase or of pesticide use or application on an  
22 interim basis prior to normal certification, registration, or  
23 licensing.

24 27. "Person" means any individual, partnership,  
25 association, fiduciary, corporation, or any organized group of  
26 persons whether incorporated or not.

1           28. "Pest" means (a) any insect, rodent, nematode, fungus,  
2 weed, or (b) any other form of terrestrial or aquatic plant or  
3 animal life or virus, bacteria, or other microorganism,  
4 excluding virus, bacteria, or other microorganism on or in  
5 living animals including man, which the Director declares to  
6 be a pest.

7           29. "Pesticide" means any substance or mixture of  
8 substances intended for preventing, destroying, repelling, or  
9 mitigating any pest or any substance or mixture of substances  
10 intended for use as a plant regulator, defoliant or desiccant.

11           30. "Pesticide Dealer" means any person who distributes  
12 registered pesticides to the user.

13           31. "Plant Regulator" means any substance or mixture of  
14 substances intended through physiological action to affect the  
15 rate of growth or maturation or otherwise alter the behavior  
16 of ornamental or crop plants or the produce thereof. This does  
17 not include substances which are not intended as plant  
18 nutrient trace elements, nutritional chemicals, plant or seed  
19 inoculants or soil conditioners or amendments.

20           32. "Protect Health and Environment" means to guard  
21 against any unreasonable adverse effects on the environment.

22           33. "Registrant" means a person who has registered any  
23 pesticide pursuant to the provision of FIFRA and this Act.

24           34. "Restricted Use Pesticide" means any pesticide with  
25 one or more of its uses classified as restricted by order of  
26 the Administrator of USEPA.

1           35. "SLN Registration" means registration of a pesticide  
2 for use under conditions of special local need as defined by  
3 FIFRA.

4           36. "State Restricted Pesticide Use" means any pesticide  
5 use which the Director determines, subsequent to public  
6 hearing, that an additional restriction for that use is needed  
7 to prevent unreasonable adverse effects.

8           37. "Structural Pest" means any pests which attack and  
9 destroy buildings and other structures or which attack  
10 clothing, stored food, commodities stored at food  
11 manufacturing and processing facilities or manufactured and  
12 processed goods.

13           38. "Unreasonable Adverse Effects on the Environment"  
14 means the unreasonable risk to the environment, including man,  
15 from the use of any pesticide, when taking into account  
16 accrued benefits of as well as the economic, social, and  
17 environmental costs of its use.

18           39. "USEPA" means United States Environmental Protection  
19 Agency.

20           40. "Use inconsistent with the label" means to use a  
21 pesticide in a manner not consistent with the label  
22 instruction, the definition adopted in FIFRA as interpreted by  
23 USEPA shall apply in Illinois.

24           41. "Weed" means any plant growing in a place where it is  
25 not wanted.

26           42. "Wildlife" means all living things, not human,

1 domestic, or pests.

2 43. "Bulk pesticide" means any registered pesticide which  
3 is transported or held in an individual container in undivided  
4 quantities of greater than 55 U.S. gallons liquid measure or  
5 100 pounds net dry weight.

6 44. "Bulk repackaging" means the transfer of a registered  
7 pesticide from one bulk container (containing undivided  
8 quantities of greater than 100 U.S. gallons liquid measure or  
9 100 pounds net dry weight) to another bulk container  
10 (containing undivided quantities of greater than 100 U.S.  
11 gallons liquid measure or 100 pounds net dry weight) in an  
12 unaltered state in preparation for sale or distribution to  
13 another person.

14 45. "Business" means any individual, partnership,  
15 corporation or association engaged in a business operation for  
16 the purpose of selling or distributing pesticides or providing  
17 the service of application of pesticides in this State.

18 46. "Facility" means any building or structure and all  
19 real property contiguous thereto, including all equipment  
20 fixed thereon used for the operation of the business.

21 47. "Chemigation" means the application of a pesticide  
22 through the systems or equipment employed for the primary  
23 purpose of irrigation of land and crops.

24 48. "Use" means any activity covered by the pesticide  
25 label, including, but not limited to, application of  
26 pesticide, mixing and loading, storage of pesticides or

1 pesticide containers, disposal of pesticides and pesticide  
2 containers and reentry into treated sites or areas.

3 49. "Education course" means a course approved by the  
4 Department of Agriculture that may be used by a certified  
5 applicator, licensed operator, or registered pesticide dealer  
6 to meet renewal requirements under the Act.

7 50. "License transfer" means the transfer of an existing  
8 license or certification by the Department from one certified  
9 applicator or operator to another certified applicator or  
10 operator for the period of time remaining on the license  
11 before renewal.

12 51. "Perfluoroalkyl or polyfluoroalkyl substance" or  
13 "PFAS" means a chemical in the class of fluorinated organic  
14 chemicals containing at least one fully fluorinated carbon  
15 atom.

16 52. "Intentionally added PFAS" means any chemical that is  
17 a PFAS and that is deliberately added during the manufacture  
18 of a product if the continued presence of the chemical is  
19 desired in the final product or desired in one of the product's  
20 components to perform a specific function in the final  
21 product. "Intentionally added PFAS" includes (i) any  
22 degradation byproduct of a chemical that is a PFAS, (ii) any  
23 chemical that is a PFAS and that is a breakdown product of an  
24 added chemical, and (iii) any chemical that is a PFAS and that  
25 is used as a processing agent, mold release agent, or  
26 intermediate in any situation in which any PFAS is detected in

1 the final covered product. "Intentionally added PFAS" does not  
2 include a chemical that is a PFAS and that is present in the  
3 product due to use of water that contains the chemical if the  
4 manufacturer took no action that resulted in the chemical  
5 being present in the water.

6 (Source: P.A. 103-154, eff. 6-30-23; 104-363, eff. 1-1-26.)

7 (415 ILCS 60/6) (from Ch. 5, par. 806)

8 Sec. 6. Registration.

9 1. Every pesticide which is distributed, sold, offered for  
10 sale within this State, delivered for transportation or  
11 transported in interstate commerce or between points within  
12 the State through any point outside the State, shall be  
13 registered with the Director or his designated agent, subject  
14 to provisions of this Act. Such registration shall be for a  
15 period determined under subsection ~~item~~ 1.5 of this Section  
16 and shall expire on December 31st. Registration is not  
17 required if a pesticide is shipped from one plant or warehouse  
18 to another plant or warehouse by the same person and is used  
19 solely at such plant or warehouse as a constituent part to make  
20 a pesticide which is registered under provisions of this Act  
21 and FIFRA.

22 1.5. In order to stagger product registrations, the  
23 Department shall, for the 2011 registration year, register  
24 half of the applicants and their products for one year and the  
25 other half for 2 years. Thereafter, a business registration

1 and product registration shall be for 2 years.

2 2. Registration applicant shall file a statement with the  
3 Director which shall include:

4 A. The name and address of the applicant and the name  
5 and address of the person whose name will appear on the  
6 label if different from the applicant's.

7 B. The name of the pesticide.

8 C. A copy of the labeling accompanying the pesticide  
9 under customary conditions of distribution, sale and use,  
10 including ingredient statement, direction for use, use  
11 classification, and precautionary or warning statements.

12 3. The Director may require the submission of complete  
13 formula data.

14 4. The Director may require a full description of tests  
15 made and the results thereof, upon which the claims are based,  
16 for any pesticide not registered pursuant to FIFRA, or on any  
17 pesticide under consideration to be classified for restricted  
18 use.

19 A. The Director will not consider data he required of  
20 the initial registrant of a pesticide in support of  
21 another applicants' registration unless the subsequent  
22 applicant has obtained written permission to use such  
23 data.

24 B. In the case of renewal registration, the Director  
25 may accept a statement only with respect to information  
26 which is different from that furnished previously.

1           5. The Director may prescribe other requirements to  
2 support a pesticide registration by regulation.

3           6. For the years 2024 through 2025, the product  
4 registration fee shall be \$800 per product per 2-year  
5 registration period and shall be paid at the time of  
6 registration. For the year 2026 and for each year thereafter,  
7 the product registration fee shall be \$850 per product per  
8 2-year registration period and shall be paid at the time of  
9 registration.

10           For the years 2024 through 2025, the business registration  
11 fee shall be \$1000 per 2-year registration period and shall be  
12 paid at the time of registration. For the year 2026 and for  
13 each year thereafter, the business registration fee shall be  
14 \$1,050 per 2-year registration period and shall be paid at the  
15 time of registration. Each legal entity of the business shall  
16 pay the business registration fee.

17           For the years preceding the year 2004, any applicant  
18 requesting an experimental use permit shall pay the annual fee  
19 of \$100 per permit and all special local need pesticide  
20 registration applicants shall pay an annual fee of \$100 per  
21 product. For the years 2004 through 2010, the annual  
22 experimental use permit fee and special local need pesticide  
23 registration fee is \$200 per permit. For the years 2011 and  
24 thereafter, the annual experimental use permit and special  
25 local need pesticide registration fee shall be \$300 per  
26 product. Subsequent SLN registrations for a pesticide already

1 registered shall be exempted from the registration fee.

2 A. All registration accepted and approved by the  
3 Director shall expire on the 31st day of December in any  
4 one year unless cancelled. Registration for a special  
5 local need may be granted for a specific period of time  
6 with the approval date and expiration date specified.

7 B. If a registration for special local need granted by  
8 the Director does not receive approval of the  
9 Administrator of USEPA, the registration shall expire on  
10 the date of the Administrator's disapproval.

11 7. Registrations approved and accepted by the Director and  
12 in effect on the 31st day of December, for which renewal  
13 application is made, shall continue in full force and effect  
14 until the Director notifies the registrant that the renewal  
15 has been approved and accepted or the registration is denied  
16 under this Act. Renewal registration forms will be provided to  
17 applicants by the Director.

18 8. If the renewal of a pesticide registration is not filed  
19 within 30 days of the date of expiration, a penalty late  
20 registration assessment of \$100 per product shall apply in  
21 addition to the regular product registration fee. The late  
22 registration assessment shall not apply if the applicant  
23 furnishes an affidavit certifying that no unregulated  
24 pesticide was distributed or sold during the period of  
25 registration. The late assessment is not a bar to prosecution  
26 for doing business without proper registry.

1           9. The Director may prescribe by regulation to allow  
2 pesticide use for a special local need, pursuant to FIFRA.

3           10. The Director may prescribe by regulation the  
4 provisions for and requirements of registering a pesticide  
5 intended for experimental use.

6           11. The Director shall not make any lack of essentiality a  
7 criterion for denial of registration of any pesticide. Where 2  
8 pesticides meet the requirements, one should not be registered  
9 in preference to the other.

10          12. It shall be the duty of the pesticide registrant to  
11 properly dispose of any pesticide the registration of which  
12 has been suspended, revoked or cancelled or which is otherwise  
13 not properly registered in the State.

14          13. Beginning January 1, 2027, a statement under  
15 subsection 2 of this Section shall include either a statement  
16 that the pesticide contains no chemical that is a PFAS or, if  
17 the pesticide (including its active and inert ingredients)  
18 contains any chemical that is a PFAS, the following  
19 information:

20           A. the name and purpose for which each chemical that  
21 is a PFAS is used in the pesticide, including its active  
22 and inert ingredients;

23           B. the amount of each chemical that is in the  
24 pesticide and that is a PFAS, identified by its name,  
25 chemical structure, analytical methods, Chemical Abstracts  
26 Service Registry Number, or other unique method approved

1 by the Director; and

2 C. any additional information required by rule by the  
3 Director.

4 The Department of Agriculture shall adopt rules  
5 implementing this subsection 13.

6 14. Beginning January 1, 2027, the Director shall not  
7 register any pesticide product that contains any chemical that  
8 is an intentionally added PFAS, and the use of any pesticide  
9 that contains any chemical that is an intentionally added PFAS  
10 is prohibited. The Department of Agriculture shall adopt rules  
11 implementing this subsection 14.

12 15. Beginning January 1, 2030, the use of any spray  
13 adjuvant that contains any chemical that is an intentionally  
14 added PFAS is prohibited. The Department of Agriculture shall  
15 adopt rules implementing this subsection 15.

16 (Source: P.A. 103-441, eff. 1-1-24; 104-363, eff. 1-1-26.)