



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5305

Introduced 2/10/2026, by Rep. Anna Moeller

SYNOPSIS AS INTRODUCED:

415 ILCS 60/14.1 new

Amends the Illinois Pesticide Act. Provides that, beginning January 1, 2029, it is unlawful for any person to sell, offer for sale, use, or distribute within this State any corn, soybean, or wheat seed coated or treated with a pesticide containing neonicotinoids, unless a valid waiver is issued by the Department of Agriculture. Lists requirements for the waiver. Directs the Department of Agriculture to adopt rules and annually report to the General Assembly regarding the waivers. Provides for civil penalties for violations (but not other penalties under the Act). Directs the Department of Natural Resources and the Department of Agriculture, in consultation with the University of Illinois, to conduct a study regarding alternatives to the use of pesticides containing specified ingredients to be submitted on or before January 1, 2029.

LRB104 18431 BDA 31873 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 adding
5 Section 14.1 as follows:

6 (415 ILCS 60/14.1 new)

7 Sec. 14.1. Regulation of coated or treated seeds.

8 (a) Beginning January 1, 2029, it is unlawful for any
9 person to sell, offer for sale, use, or distribute within this
10 State any corn, soybean, or wheat seed coated or treated with a
11 pesticide containing the active ingredients clothianidin,
12 imidacloprid, thiamethoxam, or any other neonicotinoid as
13 determined by the Department of Agriculture by rule, unless a
14 valid waiver is issued by the Department under subsection (b).

15 (b) The Director, in consultation with the Director of
16 Natural Resources, may issue a waiver to allow the use of such
17 treated seeds for the production of agricultural commodities,
18 with the following requirements:

19 (1) No waiver shall be valid for more than 2 years.

20 (2) A waiver shall be granted only if, at a minimum,
21 the following conditions are met:

22 (A) the farm owner completes an integrated pest
23 management training;

1 (B) the farm owner completes a pest risk
2 assessment and a pest risk assessment report;

3 (C) any treated seeds are planted on the farm
4 property or properties identified in the pest risk
5 assessment report; and

6 (D) the farm owner maintains current records of
7 the pest risk assessment report and records of when
8 treated seeds are planted, both of which are subject
9 to review upon request by the Department of
10 Agriculture.

11 (3) The Department of Agriculture, in consultation
12 with the Department of Natural Resources, shall adopt any
13 necessary rules regarding the waiver process before
14 issuing waivers under this Section.

15 (4) The Department of Agriculture shall annually
16 report to the General Assembly on the number of waivers
17 granted.

18 (c) Any person who violates any provision of this Section
19 or any rule adopted under this Section shall be liable for a
20 civil penalty not to exceed \$1,000 for each day during which
21 such violation continues. For a second violation, such a
22 person shall be liable for a civil penalty not to exceed \$2,500
23 for each day during which such violation continues and may be
24 enjoined from continuing the violation. The State's Attorney
25 of the county where the violation occurred or the Attorney
26 General may bring suit to collect civil penalties and seek

1 injunctions for violations of this Section. Notwithstanding
2 any other provision of this Act, a person who violates this
3 Section is not subject to criminal penalties under this Act
4 for the violation of this Section and is not subject to other
5 civil or administrative penalties under this Act for the
6 violation of this Section. This Section shall not be construed
7 to abrogate or limit any remedy or relief under the common law
8 or statute and shall not be construed to provide immunity or
9 limit the application of criminal, civil, or administrative
10 penalties for violations of other Sections of this Act or of
11 any other Act.

12 (d) The Department of Natural Resources and the Department
13 of Agriculture, in consultation with the University of
14 Illinois, shall conduct a study to identify practicable and
15 feasible alternatives to the use of pesticides containing the
16 active ingredients clothianidin, imidacloprid, thiamethoxam,
17 dinotefuran, or acetamiprid. The results of the study shall be
18 submitted to the Governor and the General Assembly on or
19 before January 1, 2029, and shall be posted on the
20 Department's website.