



Sen. David Koehler

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10400SB0783sam002

LRB104 07111 BDA 25670 a

1 AMENDMENT TO SENATE BILL 783

2 AMENDMENT NO. _____. Amend Senate Bill 783 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pesticide Act is amended by
5 changing Sections 4, 6, 10, 11, 11.1, 12, and 13 and by adding
6 Section 11.5 as follows:

7 (415 ILCS 60/4) (from Ch. 5, par. 804)

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

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

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

14 3. "Adulterated" shall apply to any pesticide if the
15 strength or purity is not within the standard of quality
16 expressed on the labeling under which it is sold, distributed

1 or used, including any substance which has been substituted
2 wholly or in part for the pesticide as specified on the
3 labeling under which it is sold, distributed or used, or if any
4 valuable constituent of the pesticide has been wholly or in
5 part abstracted.

6 4. "Agricultural Commodity" means produce of the land,
7 including, but not limited to, plants and plant parts,
8 livestock and poultry and livestock or poultry products,
9 seeds, sod, shrubs and other products of agricultural origin
10 including the premises necessary to and used directly in
11 agricultural production. Agricultural commodity also includes
12 aquatic products, including any aquatic plants and animals or
13 their by-products that are produced, grown, managed, harvested
14 and marketed on an annual, semi-annual, biennial or short-term
15 basis, in permitted aquaculture facilities.

16 5. "Animal" means all vertebrate and invertebrate species
17 including, but not limited to, man and other mammals, birds,
18 fish, and shellfish.

19 5.5. "Barrier mosquitocide" means a pesticide that is
20 formulated to kill adult mosquitoes and that is applied so as
21 to leave a residual mosquitocidal coating on natural or
22 manmade surfaces. "Barrier mosquitocide" does not include a
23 product that is exempt from registration under the Federal
24 Insecticide, Fungicide, and Rodenticide Act, or rules adopted
25 pursuant to that Act.

26 5.6. "Barrier mosquitocide treatment" means application of

1 a barrier mosquitocide to a natural or manmade surface.

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

5 7. "Certified applicator".

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

10 B. "Private applicator" means a certified applicator
11 who purchases, uses, or supervises the use of any
12 pesticide classified for restricted use, for the purpose
13 of producing any agricultural commodity on property owned,
14 rented, or otherwise controlled by him or his employer, or
15 applied to other property if done without compensation
16 other than trading of personal services between no more
17 than 2 producers of agricultural commodities.

18 C. "Licensed Commercial Applicator" means a certified
19 applicator, whether or not he is a private applicator with
20 respect to some uses, who owns or manages a business that
21 is engaged in applying pesticides, whether classified for
22 general or restricted use, for hire. The term also applies
23 to a certified applicator who uses or supervises the use
24 of pesticides, whether classified for general or
25 restricted use, for any purpose or on property of others
26 excluding those specified by subparagraphs 7 (B), (D), (E)

1 of Section 4 of this Act.

2 D. "Commercial Not For Hire Applicator" means a
3 certified applicator who uses or supervises the use of
4 pesticides classified for general or restricted use for
5 any purpose on property of an employer when such activity
6 is a requirement of the terms of employment and such
7 application of pesticides under this certification is
8 limited to property under the control of the employer only
9 and includes, but is not limited to, the use or
10 supervision of the use of pesticides in a greenhouse
11 setting. "Commercial Not For Hire Applicator" also
12 includes a certified applicator who uses or supervises the
13 use of pesticides classified for general or restricted use
14 as an employee of a state agency, municipality, or other
15 duly constituted governmental agency or unit.

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

19 9. "Desiccant" means any substance or combination of
20 substances intended for artificially accelerating the drying
21 of plant tissue.

22 10. "Device" means any instrument or contrivance, other
23 than a firearm or equipment for application of pesticides when
24 sold separately from pesticides, which is intended for
25 trapping, repelling, destroying, or mitigating any pest, other
26 than bacteria, virus, or other microorganisms on or living in

1 man or other living animals.

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

5 12. "Environment" includes water, air, land, and all
6 plants and animals including man, living therein and the
7 interrelationships which exist among these.

8 13. "Equipment" means any type of instruments and
9 contrivances using motorized, mechanical or pressure power
10 which is used to apply any pesticide, excluding pressurized
11 hand-size household apparatus containing dilute ready to apply
12 pesticide or used to apply household pesticides.

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

15 15. "Fungi" means any non-chlorophyll bearing
16 thallophytes, any non-chlorophyll bearing plant of a lower
17 order than mosses or liverworts, as for example rust, smut,
18 mildew, mold, yeast and bacteria, except those on or in living
19 animals including man and those on or in processed foods,
20 beverages or pharmaceuticals.

21 16. "Household Substance" means any pesticide customarily
22 produced and distributed for use by individuals in or about
23 the household.

24 17. "Imminent Hazard" means a situation which exists when
25 continued use of a pesticide would likely result in
26 unreasonable adverse effects on the environment or will

1 involve unreasonable hazard to the survival of a species
2 declared endangered by the U.S. Secretary of the Interior or
3 to species declared to be protected by the Illinois Department
4 of Natural Resources.

5 18. "Inert Ingredient" means an ingredient which is not an
6 active ingredient.

7 19. "Ingredient Statement" means a statement of the name
8 and percentage of each active ingredient together with the
9 total percentage of inert ingredients in a pesticide and for
10 pesticides containing arsenic in any form, the ingredient
11 statement shall include percentage of total and water soluble
12 arsenic, each calculated as elemental arsenic. In the case of
13 spray adjuvants the ingredient statement need contain only the
14 names of the functioning agents and the total percent of those
15 constituents ineffective as spray adjuvants.

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

24 21. "Label" means the written, printed or graphic matter
25 on or attached to the pesticide or device or any of its
26 containers or wrappings.

1 22. "Labeling" means the label and all other written,
2 printed or graphic matter: (a) on the pesticide or device or
3 any of its containers or wrappings, (b) accompanying the
4 pesticide or device or referring to it in any other media used
5 to disseminate information to the public, (c) to which
6 reference is made to the pesticide or device except when
7 references are made to current official publications of the U.
8 S. Environmental Protection Agency, Departments of
9 Agriculture, Health, Education and Welfare or other Federal
10 Government institutions, the state experiment station or
11 colleges of agriculture or other similar state institution
12 authorized to conduct research in the field of pesticides.

13 23. "Land" means all land and water area including
14 airspace, and all plants, animals, structures, buildings,
15 contrivances, and machinery appurtenant thereto or situated
16 thereon, fixed or mobile, including any used for
17 transportation.

18 24. "Licensed Operator" means a person employed to apply
19 pesticides to the lands of others under the direction of a
20 "licensed commercial applicator" or a "licensed commercial
21 not-for-hire applicator".

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

1 26. "Permit" means a written statement issued by the
2 Director or his authorized agent, authorizing certain acts of
3 pesticide purchase or of pesticide use or application on an
4 interim basis prior to normal certification, registration, or
5 licensing.

6 27. "Person" means any individual, partnership,
7 association, fiduciary, corporation, or any organized group of
8 persons whether incorporated or not.

9 28. "Pest" means (a) any insect, rodent, nematode, fungus,
10 weed, or (b) any other form of terrestrial or aquatic plant or
11 animal life or virus, bacteria, or other microorganism,
12 excluding virus, bacteria, or other microorganism on or in
13 living animals including man, which the Director declares to
14 be a pest.

15 29. "Pesticide" means any substance or mixture of
16 substances intended for preventing, destroying, repelling, or
17 mitigating any pest or any substance or mixture of substances
18 intended for use as a plant regulator, defoliant or desiccant.

19 30. "Pesticide Dealer" means any person who distributes
20 registered pesticides to the user.

21 31. "Plant Regulator" means any substance or mixture of
22 substances intended through physiological action to affect the
23 rate of growth or maturation or otherwise alter the behavior
24 of ornamental or crop plants or the produce thereof. This does
25 not include substances which are not intended as plant
26 nutrient trace elements, nutritional chemicals, plant or seed

1 inoculants or soil conditioners or amendments.

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

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

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

9 35. "SLN Registration" means registration of a pesticide
10 for use under conditions of special local need as defined by
11 FIFRA.

12 36. "State Restricted Pesticide Use" means any pesticide
13 use which the Director determines, subsequent to public
14 hearing, that an additional restriction for that use is needed
15 to prevent unreasonable adverse effects.

16 37. "Structural Pest" means any pests which attack and
17 destroy buildings and other structures or which attack
18 clothing, stored food, commodities stored at food
19 manufacturing and processing facilities or manufactured and
20 processed goods.

21 38. "Unreasonable Adverse Effects on the Environment"
22 means the unreasonable risk to the environment, including man,
23 from the use of any pesticide, when taking into account
24 accrued benefits of as well as the economic, social, and
25 environmental costs of its use.

26 39. "USEPA" means United States Environmental Protection

1 Agency.

2 40. "Use inconsistent with the label" means to use a
3 pesticide in a manner not consistent with the label
4 instruction, the definition adopted in FIFRA as interpreted by
5 USEPA shall apply in Illinois.

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

8 42. "Wildlife" means all living things, not human,
9 domestic, or pests.

10 43. "Bulk pesticide" means any registered pesticide which
11 is transported or held in an individual container in undivided
12 quantities of greater than 55 U.S. gallons liquid measure or
13 100 pounds net dry weight.

14 44. "Bulk repackaging" means the transfer of a registered
15 pesticide from one bulk container (containing undivided
16 quantities of greater than 100 U.S. gallons liquid measure or
17 100 pounds net dry weight) to another bulk container
18 (containing undivided quantities of greater than 100 U.S.
19 gallons liquid measure or 100 pounds net dry weight) in an
20 unaltered state in preparation for sale or distribution to
21 another person.

22 45. "Business" means any individual, partnership,
23 corporation or association engaged in a business operation for
24 the purpose of selling or distributing pesticides or providing
25 the service of application of pesticides in this State.

26 46. "Facility" means any building or structure and all

1 real property contiguous thereto, including all equipment
2 fixed thereon used for the operation of the business.

3 47. "Chemigation" means the application of a pesticide
4 through the systems or equipment employed for the primary
5 purpose of irrigation of land and crops.

6 48. "Use" means any activity covered by the pesticide
7 label, including, but not limited to, application of
8 pesticide, mixing and loading, storage of pesticides or
9 pesticide containers, disposal of pesticides and pesticide
10 containers and reentry into treated sites or areas.

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

15 50. "License transfer" means the transfer of an existing
16 license or certification by the Department from one certified
17 applicator or operator to another certified applicator or
18 operator for the period of time remaining on the license
19 before renewal.

20 (Source: P.A. 102-555, eff. 1-1-22; 102-916, eff. 1-1-23;
21 103-154, eff. 6-30-23.)

22 (415 ILCS 60/6) (from Ch. 5, par. 806)

23 Sec. 6. Registration.

24 1. Every pesticide which is distributed, sold, offered for
25 sale within this State, delivered for transportation or

1 transported in interstate commerce or between points within
2 the State through any point outside the State, shall be
3 registered with the Director or his designated agent, subject
4 to provisions of this Act. Such registration shall be for a
5 period determined under item 1.5 of this Section and shall
6 expire on December 31st. Registration is not required if a
7 pesticide is shipped from one plant or warehouse to another
8 plant or warehouse by the same person and is used solely at
9 such plant or warehouse as a constituent part to make a
10 pesticide which is registered under provisions of this Act and
11 FIFRA.

12 1.5. In order to stagger product registrations, the
13 Department shall, for the 2011 registration year, register
14 half of the applicants and their products for one year and the
15 other half for 2 years. Thereafter, a business registration
16 and product registration shall be for 2 years.

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

19 A. The name and address of the applicant and the name
20 and address of the person whose name will appear on the
21 label if different from the applicant's.

22 B. The name of the pesticide.

23 C. A copy of the labeling accompanying the pesticide
24 under customary conditions of distribution, sale and use,
25 including ingredient statement, direction for use, use
26 classification, and precautionary or warning statements.

1 3. The Director may require the submission of complete
2 formula data.

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

8 A. The Director will not consider data he required of
9 the initial registrant of a pesticide in support of
10 another applicants' registration unless the subsequent
11 applicant has obtained written permission to use such
12 data.

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

16 5. The Director may prescribe other requirements to
17 support a pesticide registration by regulation.

18 6. ~~For the years preceding the year 2004, any registrant~~
19 ~~desiring to register a pesticide product at any time during~~
20 ~~one year shall pay the annual registration fee of \$100 per~~
21 ~~product registered for that applicant. For the years 2004~~
22 ~~through 2010, the annual product registration fee is \$200 per~~
23 ~~product. For the years 2011 through 2023, the product~~
24 ~~registration fee shall be \$600 per product per 2-year~~
25 ~~registration period and shall be paid at the time of~~
26 ~~registration.~~ For the years 2024 through 2025 and thereafter,

1 the product registration fee shall be \$800 per product per
2 2-year registration period and shall be paid at the time of
3 registration. For the year 2026 and for each year thereafter,
4 the product registration fee shall be \$850 per product per
5 2-year registration period and shall be paid at the time of
6 registration.

7 ~~In addition, for the years preceding the year 2004 any~~
8 ~~business registering a pesticide product at any time during~~
9 ~~one year shall pay the annual business registration fee of~~
10 ~~\$250. For the years 2004 through 2010, the annual business~~
11 ~~registration fee shall be \$400. For the years 2011 through~~
12 ~~2023, the business registration fee shall be \$800 per 2-year~~
13 ~~registration period and shall be paid at the time of~~
14 ~~registration.~~ For the years 2024 through 2025 ~~and thereafter,~~
15 the business registration fee shall be \$1000 per 2-year
16 registration period and shall be paid at the time of
17 registration. For the year 2026 and for each year thereafter,
18 the business registration fee shall be \$1,050 per 2-year
19 registration period and shall be paid at the time of
20 registration. Each legal entity of the business shall pay the
21 business registration fee.

22 For the years preceding the year 2004, any applicant
23 requesting an experimental use permit shall pay the annual fee
24 of \$100 per permit and all special local need pesticide
25 registration applicants shall pay an annual fee of \$100 per
26 product. For the years 2004 through 2010, the annual

1 experimental use permit fee and special local need pesticide
2 registration fee is \$200 per permit. For the years 2011 and
3 thereafter, the annual experimental use permit and special
4 local need pesticide registration fee shall be \$300 per
5 product. Subsequent SLN registrations for a pesticide already
6 registered shall be exempted from the registration fee.

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

12 B. If a registration for special local need granted by
13 the Director does not receive approval of the
14 Administrator of USEPA, the registration shall expire on
15 the date of the Administrator's disapproval.

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

23 8. If the renewal of a pesticide registration is not filed
24 within 30 days of the date of expiration, a penalty late
25 registration assessment of \$100 per product shall apply in
26 addition to the regular product registration fee. The late

1 registration assessment shall not apply if the applicant
2 furnishes an affidavit certifying that no unregulated
3 pesticide was distributed or sold during the period of
4 registration. The late assessment is not a bar to prosecution
5 for doing business without proper registry.

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

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

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

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

19 (Source: P.A. 103-441, eff. 1-1-24.)

20 (415 ILCS 60/10) (from Ch. 5, par. 810)

21 Sec. 10. Commercial applicator license. No commercial
22 applicator shall use or supervise the use of any pesticide
23 without a commercial license issued by the Director. ~~For the~~
24 ~~years preceding the year 2001, the Director shall require an~~
25 ~~annual fee for commercial applicator license of \$35. For the~~

1 ~~years 2001, 2002, 2003, 2004, 2005, and 2006, the annual fee~~
2 ~~for a commercial applicator license is \$45. For the years 2007~~
3 ~~through 2017, the annual fee for a commercial applicator~~
4 ~~license is \$60. For the years 2018 through 2023, the fee for a~~
5 ~~multi year commercial applicator license is \$180. For the~~
6 years 2024 through 2025 ~~and thereafter~~, the fee for a
7 multi-year commercial applicator license is \$240. For the year
8 2026 and for each year thereafter, the fee for a multi-year
9 commercial applicator license is \$300 ~~The late application fee~~
10 ~~for a commercial applicator license shall be \$20 in addition~~
11 ~~to the normal license fee.~~ A commercial applicator shall be
12 assessed a fee of \$25 ~~\$10~~ for a duplicate license or license
13 transfer.

14 1. Application for the commercial applicator license shall
15 be made in writing on designated forms available from the
16 Director. Each application shall contain information regarding
17 the applicants qualifications, nature of the proposed
18 operation, classification of license being sought, and shall
19 include the following:

20 A. The full name of the applicant.

21 B. The address of the applicant.

22 C. Any necessary information prescribed by the
23 Director on the designated application form.

24 2. An applicant for a license shall demonstrate competence
25 and knowledge regarding pesticide use in accordance with
26 Section 9 of this Act.

1 3. A licensed commercial applicator must provide to the
2 Director at the time of original licensing and must maintain
3 throughout the licensure period evidence of financial
4 responsibility protecting persons who may suffer personal
5 injury or property damage or both as a result of the pesticide
6 operation of the applicant in either of the following manners:

7 A. Evidence of responsibility may be provided in the
8 form of a surety bond for each licensed commercial
9 applicator naming the licensed commercial applicator as
10 principal of the bond. The amount of the bond shall be not
11 less than \$50,000 per year. It is permissible to provide
12 two bonds; one for \$25,000 for bodily injury liability and
13 the second for \$25,000 for property damage liability. The
14 bond or bonds shall be made payable to the Director of
15 Agriculture, State of Illinois, for the benefit of the
16 injured party and shall be conditioned upon compliance
17 with the provisions of this Act by the principal, his or
18 her officers, representatives and employees; or

19 B. Evidence of responsibility may be provided in the
20 form of a certificate of liability insurance providing
21 coverage for each licensed commercial applicator or
22 licensed entity in the amount of not less than \$50,000 per
23 person, \$100,000 per occurrence bodily injury liability
24 coverage, with an annual aggregate of not less than
25 \$500,000, and \$50,000 per occurrence property damage
26 liability, with an annual aggregate of not less than

1 \$50,000; or, in lieu thereof, a combined single limit of
2 not less than \$100,000 bodily injury and property damage
3 liability combined, with an annual aggregate of not less
4 than \$500,000.

5 4. Every insurance policy or bond shall contain a
6 provision that it will not be cancelled or reduced by the
7 principal or insurance company, except upon 30 days prior
8 notice in writing to the Director of the Department at the
9 Springfield, Illinois office and the principal insured. A
10 reduction or cancellation of policy shall not affect the
11 liability accrued or which may accrue under such policy before
12 the expiration of the 30 days. The notice shall contain the
13 termination date. Upon said reduction or cancellation, the
14 Director shall immediately notify the licensee that his or her
15 license will be suspended and the effective date until the
16 minimum bond or liability insurance requirements are met by
17 the licensee for the current license period.

18 5. Nothing in this Act shall be construed to relieve any
19 person from liability for any damage to persons or property
20 caused by use of pesticides even though such use conforms to
21 label instructions and pertinent rules and regulations of this
22 State.

23 6. The Director may renew any applicant's license in the
24 classifications for which such applicant is licensed, subject
25 to requalification requirements imposed by the Director.
26 Requalification standards shall be prescribed by regulations

1 adopted pursuant to this Act and are required to ensure that
2 the licensed commercial applicator meets the requirements of
3 changing technology and to assure a continued level of
4 competence and ability.

5 7. The Director may limit the license of an applicant to
6 allow only the use of certain pesticides in a delimited
7 geographic area, or to the use of certain application
8 techniques or equipment. If a license is not issued as applied
9 for, the Director shall inform the applicant in writing of the
10 reasons and extend an opportunity for the applicant to
11 complete the requirements for the license desired.

12 8. For the purpose of uniformity, the Director may enter
13 into agreements for accepting standards of qualification of
14 other states as a basis for licensing commercial applicators.

15 (Source: P.A. 103-441, eff. 1-1-24.)

16 (415 ILCS 60/11) (from Ch. 5, par. 811)

17 Sec. 11. Certified pesticide applicators and private
18 applicators. No person shall use or supervise the use of
19 pesticides classified for restricted use without a license
20 issued by the Director. Persons licensed or desiring to be
21 licensed as certified pesticide applicators shall comply with
22 the certification requirements as set forth in Section 9 of
23 this Act in order to protect public health and the
24 environment, including injury to the applicator or other
25 persons using these pesticides.

1 An applicant for certification as a private pesticide
2 applicator shall meet qualification requirements prescribed by
3 regulation. Certification shall be valid for the calendar year
4 in which the certification is issued plus 2 additional
5 calendar years, expiring on December 31st. The application for
6 certification shall be made in writing to the Director, on
7 forms available from the Director ~~or the local county~~
8 ~~agricultural extension adviser's office and be accompanied by~~
9 ~~payment of a \$10 license fee in the years preceding the year~~
10 ~~2001. During the years 2001, 2002, 2003, 2004, 2005, and 2006,~~
11 ~~the private pesticide applicator license fee shall be \$15.~~
12 ~~During the years 2007 through 2010, the private pesticide~~
13 ~~applicator license fee shall be \$20. For the years 2011~~
14 ~~through 2023, the private pesticide applicator license fee~~
15 ~~shall be \$30. For the years 2024 through 2025 and thereafter,~~
16 the private pesticide applicator license fee shall be \$60. For
17 the year 2026 and for each year thereafter, the private
18 pesticide applicator license fee shall be \$90. A private
19 pesticide applicator shall be assessed a fee of \$5 for a
20 duplicate license or license transfer. Such application shall
21 include:

22 A. The full name of the applicant.

23 B. The mailing address of the applicant.

24 C. The documents required as evidence of competence
25 and knowledge regarding the use of pesticides.

26 ~~Certification, as a private pesticide applicator, issued~~

1 ~~by the Director shall be valid for a period prescribed by~~
2 ~~regulation.~~ The Director shall develop regulatory standards to
3 ensure that certified private pesticide applicators continue
4 to meet the requirements of a changing technology and assure a
5 continued level of competence and ability.

6 (Source: P.A. 103-441, eff. 1-1-24.)

7 (415 ILCS 60/11.1) (from Ch. 5, par. 811.1)

8 Sec. 11.1. Commercial not-for-hire license. No commercial
9 not-for-hire applicator shall use or supervise the use of any
10 pesticide without a license issued by the Director. ~~For the~~
11 ~~years 2011 through 2017, the commercial not-for-hire pesticide~~
12 ~~applicator license fee shall be \$20. For the years 2018~~
13 ~~through 2023, the fee for a multi year commercial not for hire~~
14 ~~pesticide applicator license is \$60. For the years 2024~~
15 through 2025 and thereafter, the fee for a multi-year
16 commercial not-for-hire pesticide applicator license is \$120.
17 For the year 2026 and for each year thereafter, the fee for a
18 multi-year commercial not-for-hire pesticide applicator
19 license is \$180 ~~The late application fee for a public or~~
20 ~~commercial not-for-hire applicator license shall be \$20 in~~
21 ~~addition to the normal license fees.~~ A commercial not-for-hire
22 applicator shall be assessed a fee of \$20 ~~\$10~~ for a duplicate
23 license or license transfer.

24 1. Application for certification as a commercial
25 not-for-hire pesticide applicator shall be made in writing on

1 designated forms available from the Director. Each application
2 shall contain information regarding the qualifications of the
3 applicant, classification of certification being sought, and
4 shall include the following:

5 A. The full name of the applicant.

6 B. The name of the applicant's employer.

7 C. The address at the applicant's place of employment.

8 D. Any other information prescribed by the Director on
9 the designated form.

10 2. The Director shall not issue a certification to a
11 commercial not-for-hire pesticide applicator until the
12 individual identified has demonstrated his competence and
13 knowledge regarding pesticide use in accordance with Section 9
14 of this Act.

15 3. The Director shall not renew a certification as a
16 commercial not-for-hire pesticide applicator until the
17 applicant reestablishes his qualifications in accordance with
18 Section 9 of this Act or has met other requirements imposed by
19 regulation in order to ensure that the applicant meets the
20 requirements of changing technology and to assure a continued
21 level of competence and ability.

22 4. (Blank).

23 5. (Blank).

24 6. (Blank).

25 7. Persons applying general use pesticides, approved by
26 the Inter-Agency Committee on the Use of Pesticides, to scrap

1 tires for the control of mosquitoes shall be exempt from the
2 license requirements of this Section.

3 (Source: P.A. 103-441, eff. 1-1-24.)

4 (415 ILCS 60/11.5 new)

5 Sec. 11.5. Operator permit and certified applicator and
6 dealer license renewal.

7 1. Subject to appropriation, sufficient available
8 education courses, and successful procurement and
9 implementation of any requisite tracking software, certified
10 applicators, licensed operators, or registered pesticide
11 dealers may elect to take education courses or an examination
12 to meet the requirements for the renewal of certifications,
13 licenses, permits, or registrations under this Act.

14 2. Before renewing a certification, license, permit, or
15 registration under this Act, a certified applicator, licensed
16 operator, or registered pesticide dealer must demonstrate
17 competence and ability in the use of pesticides and an
18 understanding of the requirements of this Act by either (i)
19 successfully completing an examination administered by the
20 Department or its designee every 3 years or (ii) successfully
21 completing 15 hours of Department-approved education courses
22 every 3 years.

23 3. In approving education courses and the providers of
24 education courses, the Department may consult with other
25 agencies and non-State entities with interests affected by the

1 Act. However, the Department shall have ultimate
2 decision-making authority with respect to the approval of
3 education courses.

4 A. To be approved by the Department, an education
5 course must be offered by an entity with significant
6 familiarity and understanding of the Act and with
7 pesticide application in Illinois.

8 B. Presentations or classes advocating for specific
9 products, services, or the sale or use of specific
10 products or services shall not be approved. This
11 restriction shall not apply to courses that are offered by
12 a person subject to this Section and intended to cover the
13 proper use of the person's product, so long as the course
14 provider does not advocate for or attempt to persuade the
15 attendee to use that specific product.

16 4. Any education course used to meet the requirements for
17 certification, license, permit, or registration renewal shall
18 include all topics, laws, and rules that are contained in the
19 examination for that certification, license, permit, or
20 registration as provided for in the Department's
21 administrative rules.

22 5. Any person choosing to meet renewal requirements by
23 attending education courses under this Section shall be
24 responsible for tracking the number of hours of education
25 courses completed. Failure to attend the required number of
26 hours of education courses will result in the person having to

1 take the examination.

2 6. The Department may adopt rules to implement and
3 administer this Section, including administrative rules
4 related to education courses and their content, provider
5 restrictions and requirements, and any related topic that the
6 Department deems necessary or appropriate to implement and
7 maintain the education course program described in this
8 Section.

9 (415 ILCS 60/12) (from Ch. 5, par. 812)

10 Sec. 12. Licensed operator. No pesticide operator shall
11 use any pesticides without a pesticide operator license issued
12 by the Director.

13 1. Application for an operator license shall be made in
14 writing on designated forms available from the Director. Each
15 application shall contain information regarding the nature of
16 applicants pesticide use, his qualifications, and such other
17 facts as prescribed on the form. The application shall also
18 include the following:

19 A. The full name of applicant.

20 B. The address of the applicant.

21 C. The name of and license/certification number of the
22 pesticide applicator under whom the applicant will work.

23 2. The Director shall not issue a pesticide operator
24 license until the individual identified has demonstrated his
25 competence and knowledge regarding pesticide use in accordance

1 with Section 9 of this Act.

2 3. The Director shall not issue an operator license to any
3 person who is unable to provide the name and
4 license/certification number of an applicator under whom the
5 operator will work.

6 ~~4. For the years preceding the year 2001, a licensed~~
7 ~~commercial operator working for or under the supervision of a~~
8 ~~certified licensed commercial pesticide applicator shall pay~~
9 ~~an annual fee of \$25. For the years 2001, 2002, and 2003, the~~
10 ~~annual fee for a commercial operator license is \$30. For the~~
11 ~~years 2004, 2005, and 2006, the annual fee for a commercial~~
12 ~~operator license is \$35. For the years 2007 through 2017, the~~
13 ~~annual fee for a commercial operator license is \$40. For the~~
14 ~~years 2018 through 2023, the fee for a multi year commercial~~
15 ~~operator license is \$120. For the years 2024 through 2025 and~~
16 ~~thereafter, the fee for a multi-year commercial operator~~
17 ~~license is \$180. For the year 2026 and for each year~~
18 ~~thereafter, the fee for a multi-year commercial operator~~
19 ~~license is \$240 The late application fee for an operator~~
20 ~~license shall be \$20 in addition to the normal license fee. A~~
21 ~~licensed operator shall be assessed a fee of \$20 \$10 for a~~
22 ~~duplicate license or license transfer.~~

23 5. ~~For the years 2011 through 2017, the commercial~~
24 ~~not for hire pesticide operator license fee shall be \$15. For~~
25 ~~the years 2018 through 2023, the fee for a multi year~~
26 ~~commercial not for hire pesticide operator license is \$45. For~~

1 the years 2024 through 2025 ~~and thereafter~~, the fee for a
2 multi-year commercial not-for-hire pesticide operator license
3 is \$90. For the year 2026 and for each year thereafter, the fee
4 for a multi-year commercial not-for-hire-pesticide operator
5 license is \$150 ~~The late application fee for a commercial~~
6 ~~not for hire operator license shall be \$20 in addition to the~~
7 ~~normal license fee.~~ A commercial not-for-hire operator shall
8 be assessed a fee of \$15 ~~\$10~~ for a duplicate license.

9 (Source: P.A. 103-441, eff. 1-1-24.)

10 (415 ILCS 60/13) (from Ch. 5, par. 813)

11 Sec. 13. Pesticide dealers. Any pesticide dealer who sells
12 Restricted Use pesticides shall be registered with the
13 Department on forms provided by the Director. Beginning July
14 1, 2005, any pesticide dealer that sells non-restricted use
15 pesticides for use in the production of an agricultural
16 commodity in containers with a capacity of 2.5 gallons or
17 greater or 10 pounds or greater must also register with the
18 Department on forms provided by the Director. ~~Through 2017,~~
19 ~~registration shall consist of passing a required examination~~
20 ~~and payment of a \$100 registration fee. For the years 2018~~
21 ~~through 2023, the pesticide dealer registration fee for a~~
22 ~~multi-year registration period is \$300.~~ For the years 2024
23 through 2025 ~~and thereafter~~, the pesticide dealer registration
24 fee for a multi-year registration period is \$350. For the year
25 2026 and for each year thereafter, the pesticide dealer

1 registration fee for a multi-year registration period is \$360
2 ~~The late application fee for a pesticide dealer registration~~
3 ~~shall be \$20 in addition to the normal pesticide dealer~~
4 ~~registration fee.~~ A pesticide dealer shall be assessed a fee
5 of \$30 ~~\$10~~ for a duplicate registration or license transfer.

6 Dealers who hold a Structural Pest Control license with
7 the Illinois Department of Public Health or a Commercial
8 Applicator's license with the Illinois Department of
9 Agriculture are exempt from the registration fee but must
10 register with the Department.

11 Each place of business which sells restricted use
12 pesticides or non-restricted pesticides for use in the
13 production of an agricultural commodity in containers with a
14 capacity of 2.5 gallons or greater or 10 pounds or greater
15 shall be considered a separate entity for the purpose of
16 registration.

17 Registration as a pesticide dealer shall expire on
18 December 31 of the year in which it is to expire. Pesticide
19 dealers shall be certified in accordance with Section 9 of
20 this Act.

21 The Director may prescribe, by rule, requirements for the
22 registration and testing of any pesticide dealer selling other
23 than restricted use pesticides and such rules shall include
24 the establishment of a registration fee in an amount not to
25 exceed the pesticide dealer registration fee.

26 The Department may refuse to issue or may suspend the

1 registration of any person who fails to file a return, or to
2 pay the tax, penalty, or interest shown in a filed return, or
3 to pay any final assessment of tax, penalty, or interest, as
4 required by any tax Act administered by the Illinois
5 Department of Revenue, until such time as the requirements of
6 any such tax Act are satisfied.

7 (Source: P.A. 103-441, eff. 1-1-24.)".