



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB5195

Introduced 1/31/2022, by Rep. Sonya M. Harper

#### SYNOPSIS AS INTRODUCED:

510 ILCS 20/1a

from Ch. 8, par. 123a

510 ILCS 20/2d new

Amends the Bees and Apiaries Act. Prohibits a certified applicator from applying to blooming crops a pesticide with a label indicating that it is toxic to bees between the hours of 8:00 a.m. and 6:00 p.m. if the site of application is located within one-half mile of a registered apiary. Requires a certified applicator to notify in writing each registered apiary located within one-half mile of the site of application of the intended date and time of application at least 24 hours prior to application. Requires a certified applicator to provide a copy of the label of the product being applied upon request. Requires a certified applicator to maintain an active list of apiaries that are registered on the specialty crop registry on the first day of each month. Provides that any violation shall be considered a use contrary to label directions and shall be assessed the associated point value of 3 for purposes of determining the appropriate administrative action or penalty under the Illinois Pesticide Act. Defines "certified applicator", "label", "registered apiary", and "specialty crop registry".

LRB102 23557 NLB 32739 b

1 AN ACT concerning animals.

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

4 Section 5. The Bees and Apiaries Act is amended by  
5 changing Section 1a and by adding Section 2d as follows:

6 (510 ILCS 20/1a) (from Ch. 8, par. 123a)

7 Sec. 1a. Definitions. As used in this Act, unless the  
8 context otherwise requires:

9 "Abate" means the destruction or disinfection of bees,  
10 colonies, or items of bee equipment by burning or by treatment  
11 specified by the Department.

12 "Apiary" means a place where one or more hives or colonies  
13 of bees are kept.

14 "Bee diseases" means any infectious or contagious diseases  
15 of bees as specified by the Department, including but not  
16 limited to American foulbrood.

17 "Bee equipment" means hives, supers, frames, or any other  
18 devices used in beekeeping.

19 "Bee parasites" means any parasite of bees as specified by  
20 the Department.

21 "Beekeeper" means a person who keeps bees.

22 "Beekeeping" means the raising or producing of bees,  
23 beeswax, honey, and by-products and the transporting of bees,

1 colonies or items of bee equipment.

2 "Bees" means the common honey bee, *Apis mellifera* (L) in  
3 any stage of its life cycle.

4 "Certified applicator" has the meaning provided in the  
5 Illinois Pesticide Act.

6 "Colony" means the entire honey bee family or social unit  
7 living together.

8 "Compliance agreement" means a written agreement between a  
9 registrant or other person handling or moving bees, colonies  
10 or items of bee equipment and the Department, in which the  
11 former agrees to specified conditions or requirements so as to  
12 remain in compliance with the terms of this Act.

13 "Department" means the Illinois Department of Agriculture.

14 "Director" means the Director of the Illinois Department  
15 of Agriculture or his or her authorized agent.

16 "Exotic strain of bees" means any developed strain of bees  
17 not known to be present ordinarily in the State as specified by  
18 the Department.

19 "Hive" means a frame hive, box hive, box, barrel, log gum,  
20 skep or any other receptacle or container, natural or  
21 artificial, or any part thereof, which is used or employed as a  
22 domicile for bees.

23 "Inspection certificate" means an official record stating  
24 that the bees, colonies, or items of bee equipment have been  
25 inspected by an inspector of apiaries or other officer charged  
26 with similar duties from this State or other states for bee

1 diseases, bee parasites or other nuisances and found to be in  
2 compliance with this Act or Illinois entry requirements.

3 "Label" means the written, printed, or graphic matter on  
4 or attached to the pesticide or device or any of its containers  
5 or wrappings.

6 "Nuisance" means bees, colonies, or items of bee equipment  
7 where bee diseases, bee parasites or exotic strains of bees  
8 exist; or hives that cannot be readily inspected; or colonies  
9 that are not registered.

10 "Packages" means bees with or without food supply in  
11 special containers for their transportation.

12 "Permit" means a statement of authorization to allow bees,  
13 colonies, or items of bee equipment to enter the State or to  
14 move within the State whether or not an inspection certificate  
15 is available.

16 "Person" means any individual, firm, partnership,  
17 association, corporation, or other organized group of persons  
18 whether incorporated or not.

19 "Registered apiary" means a person keeping one or more  
20 colonies of bees that is registered with the Department  
21 annually and is registered on the specialty crop registry.

22 "Registrant" means the person applying for registration of  
23 the apiary or apiaries and the colonies of bees.

24 "Registration" means the recording of the registrant's  
25 name, address, apiary location and any other pertinent  
26 information on a printed form prescribed by the Department.

1       "Specialty crop registry" means the electronic, mapping  
2 communication tool designated by the Department and used for  
3 the purpose of preventing and managing pesticide drift  
4 effects.

5       (Source: P.A. 88-138.)

6           (510 ILCS 20/2d new)

7       Sec. 2d. Pollinator protection and certified applicators.

8       (a) Between the hours of 8:00 a.m. and 6:00 p.m., a  
9 certified applicator shall not apply to blooming crops a  
10 pesticide with a label indicating that it is toxic to bees if  
11 the site of application is located within one-half mile of a  
12 registered apiary.

13       (b) At least 24 hours prior to applying a pesticide with a  
14 label indicating that it is toxic to bees, a certified  
15 applicator shall notify in writing each registered apiary  
16 located within one-half mile of the site of application of the  
17 intended date and time of application. Upon request, the  
18 certified applicator shall provide a copy of the label of the  
19 product being applied.

20       (c) A certified applicator shall maintain an active list  
21 of apiaries that are registered on the specialty crop registry  
22 on the first day of each month.

23       (d) Any violation of this Section shall be considered a  
24 use contrary to label directions (precautionary statements,  
25 sites, rates, restricted use requirements) and shall be

1 assessed the associated point value of 3 (under item (4) (E) (1)  
2 of Section 24.1 of the Illinois Pesticide Act) for purpose of  
3 determining the appropriate administrative action or penalty  
4 authorized by Section 24.1 of the Illinois Pesticide Act.