

1 AN ACT concerning health.

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

4 Section 5. The Mold Remediation Registration Act is  
5 amended by changing Sections 5, 10, 15, 20, and 25 and by  
6 adding Section 16 as follows:

7 (410 ILCS 105/5)

8 Sec. 5. Findings. The General Assembly finds that:

9 (1) Excessive indoor dampness in buildings is a  
10 widespread problem that warrants action at the local,  
11 State, and national levels.

12 (2) Because of the public's concern about the possible  
13 public health effects of exposure to mold in buildings, as  
14 well as the effects on workers performing remediation  
15 work, and the costs of remediation for the property owner,  
16 there is a need to identify parties performing mold  
17 remediation in the State.

18 (3) Because there is a need to reduce moisture that  
19 fosters mold formation in buildings, the State should  
20 review current State building codes to ensure that they do  
21 not foster mold.

22 (4) Parties providing mold remediation services in  
23 residential, public, and commercial buildings in Illinois

1 should be required to register with the State and provide  
2 proof of financial responsibility.

3 (5) Laboratories performing tests to confirm mold  
4 contamination in buildings should be certified by the  
5 American Industrial Hygiene Association using nationally  
6 recognized accreditation standards set under the  
7 Environmental Microbiology Laboratory Accreditation  
8 Program.

9 (6) It is imperative that the citizens of Illinois are  
10 aware of the dangers of mold and the need for proper  
11 assessment and remediation.

12 (Source: P.A. 95-456, eff. 1-1-08.)

13 (410 ILCS 105/10)

14 Sec. 10. Definitions. As used in this Act:

15 "Department" means the Department of Public Health.

16 "Mold" means any form of multi-cellular fungi in indoor  
17 environments, including Cladosporium, penicillium,  
18 alternaria, aspergillus, fusarium, Trichoderma, memnoniella,  
19 mucor, and stachybotrys chartarum, often found in  
20 water-damaged indoor environments and building materials.

21 "Mold remediation" means the removal, cleaning,  
22 sanitizing, demolition, or other treatment, including  
23 preventive activities, of mold or mold-containment matter in  
24 buildings.

25 "Preventative activities" include those intended to

1 prevent future mold contamination of a remediated area,  
2 including applying biocides or anti-microbial compounds.

3 "Third-party certification" means a mold remediation  
4 certification offered by the Institute of Inspection Cleaning  
5 and Restoration Certification, or its successor entity; the  
6 National Organization of Remediators and Microbial Inspectors,  
7 or its successor entity; or any other national nonprofit  
8 organization that has been approved by the Department.

9 (Source: P.A. 95-456, eff. 1-1-08.)

10 (410 ILCS 105/15)

11 Sec. 15. Reporting requirement. The Department must report  
12 to the Environment and Energy Committees of the House of  
13 Representatives and the Senate, on an annual basis, concerning  
14 the implementation of any federal regulations or State rules  
15 that establish:

16 (1) scientific evidence concerning any health effects  
17 associated with fungi, bacteria, and their byproducts in  
18 indoor environments including any indoor air quality  
19 standard; and

20 (2) standards for the training, certification, and  
21 licensing of parties providing mold remediation services  
22 in residential, public, and commercial buildings.

23 (Source: P.A. 95-456, eff. 1-1-08.)

24 (410 ILCS 105/16 new)

1       Sec. 16. Public awareness campaign. The Department shall,  
2       in consultation with appropriate agencies and organizations,  
3       establish a public awareness campaign to assist the public in  
4       understanding the threat of mold in indoor environments and  
5       the importance of removing mold. As part of the campaign, the  
6       Department shall:

7               (1) Establish a public awareness campaign on the  
8               dangers of mold, as well as the potential toxic compounds  
9               that they can emit and produce, in accordance with the  
10              rules adopted under this Act. As part of the campaign, the  
11              Department shall disseminate information via brochures and  
12              the Department's website.

13              (2) Provide reference to and contact information for  
14              organizations or government agencies that can provide the  
15              public with information pertaining to the health effects  
16              of mold, testing methods, or accredited industry standards  
17              for the remediation of mold.

18              (3) Every 5 years, review technology or treatment  
19              techniques for mold identification and remediation that  
20              provide additional protections to public health and  
21              safety. The review shall be performed in accordance with  
22              rules adopted under this Section and include an  
23              examination of any new scientific evidence that indicates  
24              that mold may present a greater health risk to the public  
25              than previously determined.

1 (410 ILCS 105/20)

2 Sec. 20. Rules. The Department shall ~~may~~ adopt rules,  
3 under the Illinois Administrative Procedure Act, to implement  
4 a program establishing procedures for parties that provide  
5 mold remediation services to register with the State and  
6 provide evidence of an active third-party certification and  
7 evidence of financial responsibility.

8 (Source: P.A. 95-456, eff. 1-1-08.)

9 (410 ILCS 105/25)

10 Sec. 25. Exemptions. The provisions of this Act shall not  
11 apply to ~~(i)~~ home builders and remodelers performing work on  
12 any residential structure, consisting of 4 or fewer  
13 residential units, under the period and terms of the written  
14 warranty of that residential structure ~~or (ii) persons~~  
15 ~~licensed in accordance with the Structural Pest Control Act.~~

16 (Source: P.A. 95-456, eff. 1-1-08.)