



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB4364

Introduced 01/04/06, by Rep. Thomas Holbrook - Linda Chapa LaVia

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Mold Remediation Registration Act. Requires the Department of Public Health to submit an annual report to committees of the General Assembly concerning the implementation of any federal regulations that establish: (1) scientific evidence concerning any health effects associated with fungi, bacteria, and their byproducts in indoor environments including any indoor air quality standard; and (2) standards for the training, certification, and licensing of parties providing mold remediation services in residential, public, and commercial buildings. Authorizes the Department to adopt rules concerning the Act, including rules to implement a program establishing procedures for parties that provide mold remediation services to register with the State and provide evidence of financial responsibility. Effective July 1, 2006.

LRB094 15672 RSP 50881 b

FISCAL NOTE ACT  
MAY APPLY

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 1. Short title. This Act may be cited as the Mold  
5 Remediation Registration Act.

6 Section 5. Findings. The General Assembly finds that:

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

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

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

20 (4) Parties providing mold remediation services in  
21 residential, public, and commercial buildings in Illinois  
22 should be required to register with the State and provide  
23 proof of financial responsibility.

24 (5) Laboratories performing tests to confirm mold  
25 contamination in buildings should be certified by the  
26 American Industrial Hygiene Association using nationally  
27 recognized accreditation standards set under the  
28 Environmental Microbiology Laboratory Accreditation  
29 Program.

30 Section 10. Definitions. As used in this Act:

31 "Department" means the Department of Public Health.

1 "Mold remediation" means the removal, cleaning,  
2 sanitizing, demolition, or other treatment, including  
3 preventive activities, of mold or mold-containment matter in  
4 buildings.

5 "Preventative activities" include those intended to  
6 prevent future mold contamination of a remediated area,  
7 including applying biocides or anti-microbial compounds.

8 Section 15. Reporting requirement. The Department must  
9 report to the Environment and Energy Committees of the House of  
10 Representatives and the Senate, on an annual basis, concerning  
11 the implementation of any federal regulations that establish:

12 (1) scientific evidence concerning any health effects  
13 associated with fungi, bacteria, and their byproducts in  
14 indoor environments including any indoor air quality  
15 standard; and

16 (2) standards for the training, certification, and  
17 licensing of parties providing mold remediation services  
18 in residential, public, and commercial buildings.

19 Section 20. Rules. The Department may adopt rules, under  
20 the Illinois Administrative Procedure Act, to implement and  
21 administer the provisions under this Act. The rules may  
22 include, without limitation, a program establishing procedures  
23 for parties that provide mold remediation services to register  
24 with the State and provide evidence of financial  
25 responsibility.

26 Section 99. Effective date. This Act takes effect July 1,  
27 2006.