

1 AN ACT in relation to the regulation of professions.

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

4 Section 5. The Structural Pest Control Act is amended by
5 changing Sections 3.11, 4, 6, 9, and 22 as follows:

6 (225 ILCS 235/3.11) (from Ch. 111 1/2, par. 2203.11)

7 Sec. 3.11. "Commercial Structural Pest Control Business"
8 means any business in the course of which any person
9 performs, advertises, or contracts to perform structural pest
10 control services on property under the ownership or control
11 of another ~~in-exchange-for-any-consideration~~.

12 (Source: P.A. 82-725.)

13 (225 ILCS 235/4) (from Ch. 111 1/2, par. 2204)

14 Sec. 4. Licensing and registration location
15 requirements}.

16 (a) It shall be unlawful for any person to engage in a
17 commercial structural pest control business at any location
18 in this State or within Illinois from any location outside
19 this State, ~~after--October--21,--1977~~, unless such person is
20 licensed by the Department. A person shall have a separate
21 license for each commercial structural pest control business
22 location. ~~It-shall-also-be-unlawful-for-any-person-to-engage~~
23 ~~in-a-commercial-pest-control-business-in--Illinois--from--any~~
24 ~~location-outside-this-State-unless-such-person-is-licensed-by~~
25 ~~this---Department~~. The licensee may use its state
26 identification number in all forms of advertising.

27 (b) It shall be unlawful for any person who owns or
28 operates a non-commercial structural pest control location to
29 engage in non-commercial structural pest control using
30 restricted pesticides in this State ~~after-October-21,--1977~~,

1 unless registered as a non-commercial structural pest control
2 location by the Department.

3 (c) No person shall be licensed or registered as a
4 commercial or non-commercial structural pest control business
5 at any location without complying with the certification
6 requirements as prescribed in Section 5 of this Act.

7 (d) If a licensee or registrant changes its location of
8 operation during the year of issuance, the Department shall
9 be notified in writing of the new location within 15 days.
10 The old license or registration shall accompany the
11 notification along with the fee as prescribed in Section 9 of
12 this Act be-surrendered and, upon receipt, a replacement will
13 be issued by the Department for-a-fee-of-\$10.

14 (e) All licenses and registrations issued under this Act
15 shall expire on December 31 of the year issued, except that
16 an original license or registration issued after October 1
17 and before December 31 shall expire on December 31 of the
18 following year. A license or registration may be renewed by
19 filing a completed renewal making application on--a form as
20 prescribed by regulation and the-Department-and-by-paying the
21 fee prescribed in Section 9 with the Department no later than
22 December 1 preceding the date of expiration. Applications
23 received by the Department postmarked after December 1 but
24 before December 31 shall be accompanied by the required late
25 filing fee as prescribed in Section 9. License or
26 registration applications postmarked after December 31 will
27 not be eligible for renewal required-by--this--Act. Renewal
28 applications--shall--be--filed--with--the-Department-prior-to
29 December-1-of-each-year.

30 (f) No license or registration shall be transferable
31 from one person to another.

32 (g) No person shall be licensed as a commercial pest
33 control business location without complying with the
34 insurance requirements of Section 9 of this Act.

1 (Source: P.A. 83-825.)

2 (225 ILCS 235/6) (from Ch. 111 1/2, par. 2206)

3 Sec. 6. Renewal of technician certification.

4 ~~Certificate--renewal}~~. A certified technician's certificate
5 shall be valid for a period of 3 years expiring on December
6 31 of the third year, except that an original certificate
7 issued between October 1 and December 31 shall expire on
8 December 31 of the third full calendar year following
9 issuance. ~~and--must--be--renewed--by--January--1--of--each--third~~
10 ~~year.~~ A certificate may be renewed by application upon a
11 form prescribed by the Department, provided that the
12 certified technician provides the following:

13 (1) A renewal application filed with the Department
14 and postmarked no later than the December 1 preceding the
15 date of expiration. Applications received by the
16 Department after December 1 shall be accompanied by the
17 required late filing charge prescribed in Section 9 of
18 this Act.

19 (2) Evidence attached to the renewal application or
20 on file with the Department of acquiring, during the
21 certification period, a minimum of 9 classroom contact
22 hours, in increments of 3 hours or more, of training at
23 Department-approved pest control training seminars.

24 (3) The required fee as prescribed in Section 9 of
25 this Act. ~~furnishes-evidence-that-he-has-attended,-during~~
26 ~~the--3--year-period-at-least-one-training-seminar-and-any~~
27 ~~additional-approved-seminar-on--structural--pest--control~~
28 ~~required--by-any-rule-promulgated-under-this-Act-and-pays~~
29 ~~the-fee-required-by-this-Act.--Renewal-applications-shall~~
30 ~~be--filed--with--the--Department--prior--to--December---1~~
31 ~~preceding-the-date-of-expiration.~~

32 Certified technician's certificates are not transferable
33 from one person to another person, and no licensee or

1 registrant shall use the certificate of a certified
2 technician to secure or hold a license or registration unless
3 the holder of such certificate is actively engaged in the
4 direction of pest control operations of the licensee or
5 registrant.

6 A certified technician who has not renewed a his
7 certificate for a period of not more than one year after its
8 expiration may secure a renewal upon payment of the renewal
9 fee, late filing charge and the furnishing of evidence of
10 training in accordance with item (2) of this Section ~~as--may~~
11 ~~be--required--by--the--Department~~. If a technician has not
12 renewed the his certificate for a period of more than one
13 year after its expiration, the technician he shall file an
14 original application for examination, pay all required fees
15 including, but not limited to, renewal examination fees or
16 late filing fees, and successfully pass the examination
17 before his certificate is renewed.

18 Any individual who fails to renew a certification by the
19 date of expiration shall suspend the performance of all pest
20 control activities under this Act until the requirements of
21 this Section have been met and a certificate is issued by the
22 Department.

23 (Source: P.A. 83-825.)

24 (225 ILCS 235/9) (from Ch. 111 1/2, par. 2209)

25 Sec. 9. Fees and required insurance.

26 (a) The fees required by this Act are as follows:

27 (1) The fee for an original commercial structural
28 pest control business license is \$250, and the fee for
29 each renewal of the commercial structural pest control
30 business license is \$150.

31 (2) The fee for an original non-commercial
32 structural pest control business registration is \$200,
33 and the fee for each renewal of the non-commercial

1 structural pest control registration is \$125.

2 (3) The fee for an application for examination as a
3 certified technician including an original certificate is
4 \$75, and the fee for each renewal of the certified
5 technician license is \$75.

6 (4) The fee for an application for examination in
7 sub-categories not previously examined or for
8 reexamination as a certified technician in areas
9 previously failed is \$50.

10 (5) The fee for replacement of licenses,
11 registrations, or certifications is \$25.

12 (6) The fee for late filing for any license,
13 registration, or certification is \$75.

14 (7) The fee for multiple copies of this Act and the
15 rules adopted under this Act or for any category or
16 sub-category of training materials is \$5 per copy of
17 each.

18 ~~(a) For an original license and each renewal~~
19 ~~\$100.~~

20 ~~(b) For an original registration and each renewal~~
21 ~~\$50.~~

22 ~~(c) For each certificate renewal \$40.~~

23 ~~(d) For an application for examination including an~~
24 ~~original certificate \$40.~~

25 ~~(e) Any person who fails to file a renewal~~
26 ~~application by the date of expiration of a license,~~
27 ~~certification or registration shall be assessed a late~~
28 ~~filing charge of \$75.~~

29 ~~(f) For duplicate copies of certificates, licenses~~
30 ~~or registrations \$10.~~

31 All fees shall be paid by check or money order. Any fee
32 required by this Act is not refundable in the event that the
33 original application or application for renewal is denied.

34 (b) Every application for an original commercial

1 structural pest control business location license shall be
2 accompanied by a certificate of insurance issued by an
3 insurance company authorized to do business in the State of
4 Illinois or by a risk retention or purchasing group formed
5 pursuant to the federal Liability Risk Retention Act of 1986,
6 which provides primary, first dollar public liability
7 coverage of the applicant or licensee for personal injuries
8 for not less than \$100,000 per person, or \$300,000 per
9 occurrence, and, in addition, for not less than \$50,000 per
10 occurrence for property damage, resulting from structural
11 pest control. The insurance policy shall be in effect at all
12 times during the license year and a new certificate of
13 insurance shall be filed with the Department within 30 days
14 after the renewal of the insurance policy. Each application
15 for renewal of a commercial structural pest control location
16 license shall also include a certificate of insurance as
17 detailed above unless a valid certificate of insurance is
18 already on file with the Department. Applicants for
19 registration or registration renewal shall not be required to
20 provide evidence of public liability insurance coverage.

21 All administrative civil fines and fees collected
22 pursuant to this Act shall be deposited into the Pesticide
23 Control Fund established pursuant to the Illinois Pesticide
24 Act. The amount annually collected as administrative civil
25 fines and fees shall be appropriated by the General Assembly
26 to the Department for the purposes of conducting a public
27 education program on the proper use of pesticides and for
28 other activities related to enforcement of this Act and the
29 Illinois Pesticide Act.

30 (Source: P.A. 87-703.)

31 (225 ILCS 235/22) (from Ch. 111 1/2, par. 2222)

32 Sec. 22. Scope of Act}. The provisions of this Act
33 apply to any structural pest control operations performed by

1 the State or agency thereof. However, the State Health
2 Department ~~or--agency--thereof~~ or any local health department
3 ~~unit--of--local--government~~ shall not be required to pay any
4 fees, nor shall the employees thereof engaged in pest control
5 activities in their official capacity be required to pay any
6 fees for examination, certification or renewal of
7 certification ~~in-the-sub-categories--of--either--(f)--or--(g)~~
8 ~~specified-in-Section-7-of-this-Act.~~

9 This Act does not apply to any person certified by the
10 Illinois Department of Agriculture to use restricted
11 pesticides in structures on his own individual property.

12 (Source: P.A. 82-725.)