

1 AN ACT concerning regulation.

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

4 Section 5. The Regulatory Sunset Act is amended by changing
5 Section 4.29 and by adding Section 4.39 as follows:

6 (5 ILCS 80/4.29)

7 Sec. 4.29. Acts repealed on January 1, 2019 and December
8 31, 2019.

9 (a) The following Act is repealed on January 1, 2019:

10 The Environmental Health Practitioner Licensing Act.

11 (b) The following Act is ~~Acts are~~ repealed on December 31,
12 2019:

13 The Medical Practice Act of 1987.

14 ~~The Structural Pest Control Act.~~

15 (Source: P.A. 100-429, eff. 8-25-17.)

16 (5 ILCS 80/4.39 new)

17 Sec. 4.39. Act repealed on December 31, 2029. The following
18 Act is repealed on December 31, 2029:

19 The Structural Pest Control Act.

20 Section 10. The Structural Pest Control Act is amended by
21 changing Sections 5, 6, 7, and 13 as follows:

1 (225 ILCS 235/5) (from Ch. 111 1/2, par. 2205)

2 (Section scheduled to be repealed on December 31, 2019)

3 Sec. 5. Certification requirements. No individual shall
4 apply any general use or restricted pesticide while engaged in
5 commercial structural pest control in this State unless the
6 individual is engaged in or has completed the training
7 requirements prescribed by the Department and is ~~unless~~
8 certified, or supervised by someone who is certified, by the
9 Department in accordance with this Section.

10 No individual shall apply any restricted pesticide while
11 engaged in non-commercial structural pest control in this State
12 unless the individual is engaged in or has completed the
13 training requirements prescribed by the Department and is
14 ~~unless~~ certified, or supervised by someone who is certified, ~~by~~
15 ~~the Department~~ in accordance with this Section. In addition,
16 any individual at any non-commercial structural pest control
17 location using general use pesticides shall comply with the
18 labeling requirements of the pesticides used at that location.

19 Each commercial structural pest control location shall be
20 required to employ at least one certified technician at each
21 location. In addition, each non-commercial structural pest
22 control location utilizing restricted pesticides shall be
23 required to employ at least one certified technician at each
24 location. Individuals who are not certified technicians may
25 work under the supervision of a certified technician employed

1 at the commercial or non-commercial location who shall be
2 responsible for their pest control activities. Any technician
3 providing supervision for the use of restricted pesticides must
4 be certified in the sub-category for which he is providing
5 supervision.

6 A. Any individual engaging in commercial structural pest
7 control and utilizing general use pesticides must ~~shall meet~~
8 ~~the following requirements:~~

9 1. be at least 18 years of age;

10 2. hold ~~1. He has~~ a high school diploma or a high
11 school equivalency certificate; and

12 3. have ~~2. He has~~ filed an original application, paid
13 the fee required for examination, and have ~~successfully~~
14 passed the General Standards examination.

15 B. Any individual engaging in commercial or non-commercial
16 structural pest control and supervising the use of ~~utilizing~~
17 restricted pesticides in any one of the sub-categories in
18 Section 7 of this Act must ~~shall meet the following~~
19 ~~requirements:~~

20 1. be at least 18 years of age;

21 2. hold ~~1. He has~~ a high school diploma or a high
22 school equivalency certificate; and

23 3. have ~~2. He has:~~

24 a. six months of practical experience ~~in one or~~
25 ~~more sub-categories~~ in structural pest control; or

26 b. successfully completed a minimum of 16 semester

1 hours, or their equivalent, in entomology or related
2 fields from a recognized college or university; or

3 c. successfully completed a pest control course,
4 approved by the Department, from a recognized
5 educational institution or other entity.

6 Each applicant shall have filed an original application and
7 paid the fee required for examination. Every applicant who
8 successfully passes the General Standards examination and at
9 least one sub-category examination shall be certified in each
10 sub-category which he has successfully passed.

11 A certified technician who wishes to be certified in
12 sub-categories for which he has not been previously certified
13 may apply for any sub-category examination provided he meets
14 the requirements set forth in this Section, files an original
15 application, and pays the fee for examination.

16 An applicant who fails to pass the General Standards
17 examination or any sub-category examination may reapply for
18 that examination, provided that he files an application and
19 pays the fee required for an original examination.
20 Re-examination applications shall be on forms prescribed by the
21 Department.

22 (Source: P.A. 98-718, eff. 1-1-15.)

23 (225 ILCS 235/6) (from Ch. 111 1/2, par. 2206)

24 (Section scheduled to be repealed on December 31, 2019)

25 Sec. 6. Renewal of technician certification.

1 (a) A certified technician's certificate shall be valid for
2 a period of 3 years expiring on December 31 of the third year,
3 except that an original certificate issued between October 1
4 and December 31 shall expire on December 31 of the third full
5 calendar year following issuance. A certificate may be renewed
6 by application upon a form prescribed by the Department,
7 provided that the certified technician furnishes the
8 following:

9 (1) a renewal application filed with the Department
10 ~~postmarked~~ no later than December 1 preceding the date of
11 expiration;

12 (2) evidence ~~attached to the renewal, or~~ on file with
13 the Department, of acquiring, during the 3 year period, a
14 minimum of 9 classroom hours, in increments of 3 hours or
15 more, of training at Department approved pest control
16 training seminars; and

17 (3) the required fee as prescribed in Section 9 of this
18 Act.

19 Applications received by the Department postmarked after
20 December 1 shall be accompanied by the required late filing
21 charge as prescribed in Section 9 of this Act.

22 (b) Certified technician's certificates are not
23 transferable from one person to another person, and no licensee
24 or registrant shall use the certificate of a certified
25 technician to secure or hold a license or registration unless
26 the holder of such certificate is actively engaged in the

1 direction of pest control operations of the licensee or
2 registrant.

3 (c) A certified technician who has not renewed his or her
4 certificate for a period of not more than one year after its
5 expiration may secure a renewal upon payment of the renewal fee
6 and late filing charge and the furnishing of evidence of
7 training in accordance with item (2) of subsection (a) of this
8 Section. If a technician has not renewed his or her certificate
9 for a period of more than one year after its expiration, the
10 technician shall file an original application for examination,
11 pay all required fees, which may include renewal, examination,
12 and late filing charges, and successfully pass the examination
13 before his or her certificate is renewed. Any individual who
14 fails to renew a certification by the date of expiration shall
15 not perform any supervisory pest control activities until the
16 requirements of this Section have been met and a certificate
17 has been issued by the Department.

18 (Source: P.A. 93-922, eff. 1-1-05; reenacted by P.A. 95-786,
19 eff. 8-7-08; 96-1362, eff. 7-28-10.)

20 (225 ILCS 235/7) (from Ch. 111 1/2, par. 2207)

21 (Section scheduled to be repealed on December 31, 2019)

22 Sec. 7. Written examination required. The Department shall
23 adopt rules for any examinations required for the proper
24 administration of this Act, including any category or
25 sub-category examination involving the use of general or

1 restricted use pesticides and any examination which may be
2 required under Category 7, Industrial, Institutional,
3 Structural, and Health Related Pest Control, or Category 8,
4 Public Health Pest Control (excluding Mosquito Pest Control),
5 in the rules adopted by the Department of Agriculture in
6 Section 250.120 of Title 8 of the Illinois Administrative Code.
7 Applications for examination shall be in the form prescribed by
8 the Department, accompanied by the required fee as prescribed
9 in Section 9 of this Act, and received by the Department at
10 least 15 days prior to an examination. The Department or its
11 designee shall conduct written examinations at least 4 times
12 each year and may require a practical demonstration by each
13 applicant. Written examinations ~~The written examination~~ shall
14 be prepared from suggested study materials.

15 (Source: P.A. 85-227; reenacted by P.A. 95-786, eff. 8-7-08;
16 96-1362, eff. 7-28-10.)

17 (225 ILCS 235/13) (from Ch. 111 1/2, par. 2213)

18 (Section scheduled to be repealed on December 31, 2019)

19 Sec. 13. Violations of the Act. It is a violation of this
20 Act and the Department may suspend, revoke, or refuse to issue
21 or renew any certificate, registration, or license, in
22 accordance with Section 14 of this Act, upon proof of any of
23 the following:

24 (a) Violation of this Act or any rule or regulation
25 promulgated hereunder.

1 (b) Conviction of a certified technician, registrant,
2 or licensee of a violation of any provision of this Act or
3 of pest control laws in any other state, or any other laws
4 or rules and regulations adopted thereto relating to
5 pesticides.

6 (c) Knowingly making false or fraudulent claims,
7 misrepresenting the effects of materials or methods or
8 failing to use methods or materials suitable for structural
9 pest control.

10 (d) Performing structural pest control in a careless or
11 negligent manner so as to be detrimental to health.

12 (e) ~~Failing~~ ~~Failure~~ to supply within a reasonable time,
13 upon request from the Department or its authorized
14 representative, true information regarding methods and
15 materials used, work performed, or other information
16 essential to the administration of this Act.

17 (f) Fraudulent advertising or solicitations relating
18 to structural pest control.

19 (g) Aiding or abetting a person to evade any provision
20 of this Act, conspiring with any person to evade provisions
21 of this Act or allowing a license, permit, certification,
22 or registration to be used by another person.

23 (h) Impersonating any federal, state, county, or city
24 official.

25 (i) Performing structural pest control, utilizing, or
26 authorizing the use or sale of, pesticides which are in

1 violation of the FIFRA, or the Illinois Pesticide Act.

2 (j) Failing to comply with a written Department notice
3 or lawful order of the Director.

4 (k) Failing to pay any civil penalty or fine assessed
5 by the Department.

6 (Source: P.A. 85-177; reenacted by P.A. 95-786, eff. 8-7-08;
7 96-1362, eff. 7-28-10.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.