

AN ACT concerning regulation.

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

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

(5 ILCS 80/4.29)

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 Acts repealed on January 1, 2019 and December 31, 2019.

(a) The following Act is repealed on January 1, 2019:

The Environmental Health Practitioner Licensing Act.

(b) The following Act is ~~Acts are~~ repealed on December 31, 2019:

The Medical Practice Act of 1987.

~~The Structural Pest Control Act.~~

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

(5 ILCS 80/4.39 new)

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 Act repealed on December 31, 2029. The following Act is repealed on December 31, 2029:

The Structural Pest Control Act.

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

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

(Section scheduled to be repealed on December 31, 2019)

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

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

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

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

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

1. be at least 18 years of age;

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

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

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

1. be at least 18 years of age;

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

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

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

b. successfully completed a minimum of 16 semester

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

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

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

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

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

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

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

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

Sec. 6. Renewal of technician certification.

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

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

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

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

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

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

direction of pest control operations of the licensee or registrant.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

violation of the FIFRA, or the Illinois Pesticide Act.

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

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

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

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