

AN ACT concerning safety.

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

Section 5. The Illinois Pesticide Act is amended by changing Sections 4, 6, 10, 11, 11.1, 12, and 13 and by adding Section 11.5 as follows:

(415 ILCS 60/4) (from Ch. 5, par. 804)

Sec. 4. Definitions. As used in this Act:

1. "Director" means Director of the Illinois Department of Agriculture or his authorized representative.

2. "Active Ingredient" means any ingredient which will prevent, destroy, repel, control or mitigate a pest or which will act as a plant regulator, defoliant or desiccant.

3. "Adulterated" shall apply to any pesticide if the strength or purity is not within the standard of quality expressed on the labeling under which it is sold, distributed or used, including any substance which has been substituted wholly or in part for the pesticide as specified on the labeling under which it is sold, distributed or used, or if any valuable constituent of the pesticide has been wholly or in part abstracted.

4. "Agricultural Commodity" means produce of the land, including, but not limited to, plants and plant parts,

livestock and poultry and livestock or poultry products, seeds, sod, shrubs and other products of agricultural origin including the premises necessary to and used directly in agricultural production. Agricultural commodity also includes aquatic products, including any aquatic plants and animals or their by-products that are produced, grown, managed, harvested and marketed on an annual, semi-annual, biennial or short-term basis, in permitted aquaculture facilities.

5. "Animal" means all vertebrate and invertebrate species including, but not limited to, man and other mammals, birds, fish, and shellfish.

5.5. "Barrier mosquitocide" means a pesticide that is formulated to kill adult mosquitoes and that is applied so as to leave a residual mosquitocidal coating on natural or manmade surfaces. "Barrier mosquitocide" does not include a product that is exempt from registration under the Federal Insecticide, Fungicide, and Rodenticide Act, or rules adopted pursuant to that Act.

5.6. "Barrier mosquitocide treatment" means application of a barrier mosquitocide to a natural or manmade surface.

6. "Beneficial Insects" means those insects which during their life cycle are effective pollinators of plants, predators of pests or are otherwise beneficial.

7. "Certified applicator".

A. "Certified applicator" means any individual who is certified under this Act to purchase, use, or supervise

the use of pesticides which are classified for restricted use.

B. "Private applicator" means a certified applicator who purchases, uses, or supervises the use of any pesticide classified for restricted use, for the purpose of producing any agricultural commodity on property owned, rented, or otherwise controlled by him or his employer, or applied to other property if done without compensation other than trading of personal services between no more than 2 producers of agricultural commodities.

C. "Licensed Commercial Applicator" means a certified applicator, whether or not he is a private applicator with respect to some uses, who owns or manages a business that is engaged in applying pesticides, whether classified for general or restricted use, for hire. The term also applies to a certified applicator who uses or supervises the use of pesticides, whether classified for general or restricted use, for any purpose or on property of others excluding those specified by subparagraphs 7 (B), (D), (E) of Section 4 of this Act.

D. "Commercial Not For Hire Applicator" means a certified applicator who uses or supervises the use of pesticides classified for general or restricted use for any purpose on property of an employer when such activity is a requirement of the terms of employment and such application of pesticides under this certification is

limited to property under the control of the employer only and includes, but is not limited to, the use or supervision of the use of pesticides in a greenhouse setting. "Commercial Not For Hire Applicator" also includes a certified applicator who uses or supervises the use of pesticides classified for general or restricted use as an employee of a state agency, municipality, or other duly constituted governmental agency or unit.

8. "Defoliant" means any substance or combination of substances which cause leaves or foliage to drop from a plant with or without causing abscission.

9. "Desiccant" means any substance or combination of substances intended for artificially accelerating the drying of plant tissue.

10. "Device" means any instrument or contrivance, other than a firearm or equipment for application of pesticides when sold separately from pesticides, which is intended for trapping, repelling, destroying, or mitigating any pest, other than bacteria, virus, or other microorganisms on or living in man or other living animals.

11. "Distribute" means offer or hold for sale, sell, barter, ship, deliver for shipment, receive and then deliver, or offer to deliver pesticides, within the State.

12. "Environment" includes water, air, land, and all plants and animals including man, living therein and the interrelationships which exist among these.

13. "Equipment" means any type of instruments and contrivances using motorized, mechanical or pressure power which is used to apply any pesticide, excluding pressurized hand-size household apparatus containing dilute ready to apply pesticide or used to apply household pesticides.

14. "FIFRA" means the Federal Insecticide, Fungicide, and Rodenticide Act, as amended.

15. "Fungi" means any non-chlorophyll bearing thallophytes, any non-chlorophyll bearing plant of a lower order than mosses or liverworts, as for example rust, smut, mildew, mold, yeast and bacteria, except those on or in living animals including man and those on or in processed foods, beverages or pharmaceuticals.

16. "Household Substance" means any pesticide customarily produced and distributed for use by individuals in or about the household.

17. "Imminent Hazard" means a situation which exists when continued use of a pesticide would likely result in unreasonable adverse effects on the environment or will involve unreasonable hazard to the survival of a species declared endangered by the U.S. Secretary of the Interior or to species declared to be protected by the Illinois Department of Natural Resources.

18. "Inert Ingredient" means an ingredient which is not an active ingredient.

19. "Ingredient Statement" means a statement of the name

and percentage of each active ingredient together with the total percentage of inert ingredients in a pesticide and for pesticides containing arsenic in any form, the ingredient statement shall include percentage of total and water soluble arsenic, each calculated as elemental arsenic. In the case of spray adjuvants the ingredient statement need contain only the names of the functioning agents and the total percent of those constituents ineffective as spray adjuvants.

20. "Insect" means any of the numerous small invertebrate animals generally having the body more or less obviously segmented for the most part belonging to the class Insects, comprised of six-legged, usually winged forms, as for example beetles, caterpillars, and flies. This definition encompasses other allied classes of arthropods whose members are wingless and usually have more than 6 legs as for example spiders, mites, ticks, centipedes, and millipedes.

21. "Label" means the written, printed or graphic matter on or attached to the pesticide or device or any of its containers or wrappings.

22. "Labeling" means the label and all other written, printed or graphic matter: (a) on the pesticide or device or any of its containers or wrappings, (b) accompanying the pesticide or device or referring to it in any other media used to disseminate information to the public, (c) to which reference is made to the pesticide or device except when references are made to current official publications of the U.

S. Environmental Protection Agency, Departments of Agriculture, Health, Education and Welfare or other Federal Government institutions, the state experiment station or colleges of agriculture or other similar state institution authorized to conduct research in the field of pesticides.

23. "Land" means all land and water area including airspace, and all plants, animals, structures, buildings, contrivances, and machinery appurtenant thereto or situated thereon, fixed or mobile, including any used for transportation.

24. "Licensed Operator" means a person employed to apply pesticides to the lands of others under the direction of a "licensed commercial applicator" or a "licensed commercial not-for-hire applicator".

25. "Nematode" means invertebrate animals of the phylum nemathelminthes and class nematoda, also referred to as nemas or eelworms, which are unsegmented roundworms with elongated fusiform or sac-like bodies covered with cuticle and inhabiting soil, water, plants or plant parts.

26. "Permit" means a written statement issued by the Director or his authorized agent, authorizing certain acts of pesticide purchase or of pesticide use or application on an interim basis prior to normal certification, registration, or licensing.

27. "Person" means any individual, partnership, association, fiduciary, corporation, or any organized group of

persons whether incorporated or not.

28. "Pest" means (a) any insect, rodent, nematode, fungus, weed, or (b) any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other microorganism, excluding virus, bacteria, or other microorganism on or in living animals including man, which the Director declares to be a pest.

29. "Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.

30. "Pesticide Dealer" means any person who distributes registered pesticides to the user.

31. "Plant Regulator" means any substance or mixture of substances intended through physiological action to affect the rate of growth or maturation or otherwise alter the behavior of ornamental or crop plants or the produce thereof. This does not include substances which are not intended as plant nutrient trace elements, nutritional chemicals, plant or seed inoculants or soil conditioners or amendments.

32. "Protect Health and Environment" means to guard against any unreasonable adverse effects on the environment.

33. "Registrant" means a person who has registered any pesticide pursuant to the provision of FIFRA and this Act.

34. "Restricted Use Pesticide" means any pesticide with one or more of its uses classified as restricted by order of

the Administrator of USEPA.

35. "SLN Registration" means registration of a pesticide for use under conditions of special local need as defined by FIFRA.

36. "State Restricted Pesticide Use" means any pesticide use which the Director determines, subsequent to public hearing, that an additional restriction for that use is needed to prevent unreasonable adverse effects.

37. "Structural Pest" means any pests which attack and destroy buildings and other structures or which attack clothing, stored food, commodities stored at food manufacturing and processing facilities or manufactured and processed goods.

38. "Unreasonable Adverse Effects on the Environment" means the unreasonable risk to the environment, including man, from the use of any pesticide, when taking into account accrued benefits of as well as the economic, social, and environmental costs of its use.

39. "USEPA" means United States Environmental Protection Agency.

40. "Use inconsistent with the label" means to use a pesticide in a manner not consistent with the label instruction, the definition adopted in FIFRA as interpreted by USEPA shall apply in Illinois.

41. "Weed" means any plant growing in a place where it is not wanted.

42. "Wildlife" means all living things, not human, domestic, or pests.

43. "Bulk pesticide" means any registered pesticide which is transported or held in an individual container in undivided quantities of greater than 55 U.S. gallons liquid measure or 100 pounds net dry weight.

44. "Bulk repackaging" means the transfer of a registered pesticide from one bulk container (containing undivided quantities of greater than 100 U.S. gallons liquid measure or 100 pounds net dry weight) to another bulk container (containing undivided quantities of greater than 100 U.S. gallons liquid measure or 100 pounds net dry weight) in an unaltered state in preparation for sale or distribution to another person.

45. "Business" means any individual, partnership, corporation or association engaged in a business operation for the purpose of selling or distributing pesticides or providing the service of application of pesticides in this State.

46. "Facility" means any building or structure and all real property contiguous thereto, including all equipment fixed thereon used for the operation of the business.

47. "Chemigation" means the application of a pesticide through the systems or equipment employed for the primary purpose of irrigation of land and crops.

48. "Use" means any activity covered by the pesticide label, including, but not limited to, application of

pesticide, mixing and loading, storage of pesticides or pesticide containers, disposal of pesticides and pesticide containers and reentry into treated sites or areas.

49. "Education course" means a course approved by the Department of Agriculture that may be used by a certified applicator, licensed operator, or registered pesticide dealer to meet renewal requirements under the Act.

50. "License transfer" means the transfer of an existing license or certification by the Department from one certified applicator or operator to another certified applicator or operator for the period of time remaining on the license before renewal.

(Source: P.A. 102-555, eff. 1-1-22; 102-916, eff. 1-1-23; 103-154, eff. 6-30-23.)

(415 ILCS 60/6) (from Ch. 5, par. 806)

Sec. 6. Registration.

1. Every pesticide which is distributed, sold, offered for sale within this State, delivered for transportation or transported in interstate commerce or between points within the State through any point outside the State, shall be registered with the Director or his designated agent, subject to provisions of this Act. Such registration shall be for a period determined under item 1.5 of this Section and shall expire on December 31st. Registration is not required if a pesticide is shipped from one plant or warehouse to another

plant or warehouse by the same person and is used solely at such plant or warehouse as a constituent part to make a pesticide which is registered under provisions of this Act and FIFRA.

1.5. In order to stagger product registrations, the Department shall, for the 2011 registration year, register half of the applicants and their products for one year and the other half for 2 years. Thereafter, a business registration and product registration shall be for 2 years.

2. Registration applicant shall file a statement with the Director which shall include:

A. The name and address of the applicant and the name and address of the person whose name will appear on the label if different from the applicant's.

B. The name of the pesticide.

C. A copy of the labeling accompanying the pesticide under customary conditions of distribution, sale and use, including ingredient statement, direction for use, use classification, and precautionary or warning statements.

3. The Director may require the submission of complete formula data.

4. The Director may require a full description of tests made and the results thereof, upon which the claims are based, for any pesticide not registered pursuant to FIFRA, or on any pesticide under consideration to be classified for restricted use.

A. The Director will not consider data he required of the initial registrant of a pesticide in support of another applicants' registration unless the subsequent applicant has obtained written permission to use such data.

B. In the case of renewal registration, the Director may accept a statement only with respect to information which is different from that furnished previously.

5. The Director may prescribe other requirements to support a pesticide registration by regulation.

6. ~~For the years preceding the year 2004, any registrant desiring to register a pesticide product at any time during one year shall pay the annual registration fee of \$100 per product registered for that applicant. For the years 2004 through 2010, the annual product registration fee is \$200 per product. For the years 2011 through 2023, the product registration fee shall be \$600 per product per 2 year registration period and shall be paid at the time of registration.~~ For the years 2024 through 2025 ~~and thereafter,~~ the product registration fee shall be \$800 per product per 2-year registration period and shall be paid at the time of registration. For the year 2026 and for each year thereafter, the product registration fee shall be \$850 per product per 2-year registration period and shall be paid at the time of registration.

~~In addition, for the years preceding the year 2004 any~~

~~business registering a pesticide product at any time during one year shall pay the annual business registration fee of \$250. For the years 2004 through 2010, the annual business registration fee shall be \$400. For the years 2011 through 2023, the business registration fee shall be \$800 per 2-year registration period and shall be paid at the time of registration.~~ For the years 2024 through 2025 ~~and thereafter~~, the business registration fee shall be \$1000 per 2-year registration period and shall be paid at the time of registration. For the year 2026 and for each year thereafter, the business registration fee shall be \$1,050 per 2-year registration period and shall be paid at the time of registration. Each legal entity of the business shall pay the business registration fee.

For the years preceding the year 2004, any applicant requesting an experimental use permit shall pay the annual fee of \$100 per permit and all special local need pesticide registration applicants shall pay an annual fee of \$100 per product. For the years 2004 through 2010, the annual experimental use permit fee and special local need pesticide registration fee is \$200 per permit. For the years 2011 and thereafter, the annual experimental use permit and special local need pesticide registration fee shall be \$300 per product. Subsequent SLN registrations for a pesticide already registered shall be exempted from the registration fee.

A. All registration accepted and approved by the

Director shall expire on the 31st day of December in any one year unless cancelled. Registration for a special local need may be granted for a specific period of time with the approval date and expiration date specified.

B. If a registration for special local need granted by the Director does not receive approval of the Administrator of USEPA, the registration shall expire on the date of the Administrator's disapproval.

7. Registrations approved and accepted by the Director and in effect on the 31st day of December, for which renewal application is made, shall continue in full force and effect until the Director notifies the registrant that the renewal has been approved and accepted or the registration is denied under this Act. Renewal registration forms will be provided to applicants by the Director.

8. If the renewal of a pesticide registration is not filed within 30 days of the date of expiration, a penalty late registration assessment of \$100 per product shall apply in addition to the regular product registration fee. The late registration assessment shall not apply if the applicant furnishes an affidavit certifying that no unregulated pesticide was distributed or sold during the period of registration. The late assessment is not a bar to prosecution for doing business without proper registry.

9. The Director may prescribe by regulation to allow pesticide use for a special local need, pursuant to FIFRA.

10. The Director may prescribe by regulation the provisions for and requirements of registering a pesticide intended for experimental use.

11. The Director shall not make any lack of essentiality a criterion for denial of registration of any pesticide. Where 2 pesticides meet the requirements, one should not be registered in preference to the other.

12. It shall be the duty of the pesticide registrant to properly dispose of any pesticide the registration of which has been suspended, revoked or cancelled or which is otherwise not properly registered in the State.

(Source: P.A. 103-441, eff. 1-1-24.)

(415 ILCS 60/10) (from Ch. 5, par. 810)

Sec. 10. Commercial applicator license. No commercial applicator shall use or supervise the use of any pesticide without a commercial license issued by the Director. ~~For the years preceding the year 2001, the Director shall require an annual fee for commercial applicator license of \$35. For the years 2001, 2002, 2003, 2004, 2005, and 2006, the annual fee for a commercial applicator license is \$45. For the years 2007 through 2017, the annual fee for a commercial applicator license is \$60. For the years 2018 through 2023, the fee for a multi-year commercial applicator license is \$180. For the years 2024 through 2025 and thereafter, the fee for a multi-year commercial applicator license is \$240. For the year~~

2026 and for each year thereafter, the fee for a multi-year commercial applicator license is \$300 ~~The late application fee for a commercial applicator license shall be \$20 in addition to the normal license fee.~~ A commercial applicator shall be assessed a fee of \$25 ~~\$10~~ for a duplicate license or license transfer.

1. Application for the commercial applicator license shall be made in writing on designated forms available from the Director. Each application shall contain information regarding the applicants qualifications, nature of the proposed operation, classification of license being sought, and shall include the following:

A. The full name of the applicant.

B. The address of the applicant.

C. Any necessary information prescribed by the Director on the designated application form.

2. An applicant for a license shall demonstrate competence and knowledge regarding pesticide use in accordance with Section 9 of this Act.

3. A licensed commercial applicator must provide to the Director at the time of original licensing and must maintain throughout the licensure period evidence of financial responsibility protecting persons who may suffer personal injury or property damage or both as a result of the pesticide operation of the applicant in either of the following manners:

A. Evidence of responsibility may be provided in the

form of a surety bond for each licensed commercial applicator naming the licensed commercial applicator as principal of the bond. The amount of the bond shall be not less than \$50,000 per year. It is permissible to provide two bonds; one for \$25,000 for bodily injury liability and the second for \$25,000 for property damage liability. The bond or bonds shall be made payable to the Director of Agriculture, State of Illinois, for the benefit of the injured party and shall be conditioned upon compliance with the provisions of this Act by the principal, his or her officers, representatives and employees; or

B. Evidence of responsibility may be provided in the form of a certificate of liability insurance providing coverage for each licensed commercial applicator or licensed entity in the amount of not less than \$50,000 per person, \$100,000 per occurrence bodily injury liability coverage, with an annual aggregate of not less than \$500,000, and \$50,000 per occurrence property damage liability, with an annual aggregate of not less than \$50,000; or, in lieu thereof, a combined single limit of not less than \$100,000 bodily injury and property damage liability combined, with an annual aggregate of not less than \$500,000.

4. Every insurance policy or bond shall contain a provision that it will not be cancelled or reduced by the principal or insurance company, except upon 30 days prior

notice in writing to the Director of the Department at the Springfield, Illinois office and the principal insured. A reduction or cancellation of policy shall not affect the liability accrued or which may accrue under such policy before the expiration of the 30 days. The notice shall contain the termination date. Upon said reduction or cancellation, the Director shall immediately notify the licensee that his or her license will be suspended and the effective date until the minimum bond or liability insurance requirements are met by the licensee for the current license period.

5. Nothing in this Act shall be construed to relieve any person from liability for any damage to persons or property caused by use of pesticides even though such use conforms to label instructions and pertinent rules and regulations of this State.

6. The Director may renew any applicant's license in the classifications for which such applicant is licensed, subject to requalification requirements imposed by the Director. Requalification standards shall be prescribed by regulations adopted pursuant to this Act and are required to ensure that the licensed commercial applicator meets the requirements of changing technology and to assure a continued level of competence and ability.

7. The Director may limit the license of an applicant to allow only the use of certain pesticides in a delimited geographic area, or to the use of certain application

techniques or equipment. If a license is not issued as applied for, the Director shall inform the applicant in writing of the reasons and extend an opportunity for the applicant to complete the requirements for the license desired.

8. For the purpose of uniformity, the Director may enter into agreements for accepting standards of qualification of other states as a basis for licensing commercial applicators.

(Source: P.A. 103-441, eff. 1-1-24.)

(415 ILCS 60/11) (from Ch. 5, par. 811)

Sec. 11. Certified pesticide applicators and private applicators. No person shall use or supervise the use of pesticides classified for restricted use without a license issued by the Director. Persons licensed or desiring to be licensed as certified pesticide applicators shall comply with the certification requirements as set forth in Section 9 of this Act in order to protect public health and the environment, including injury to the applicator or other persons using these pesticides.

An applicant for certification as a private pesticide applicator shall meet qualification requirements prescribed by regulation. Certification shall be valid for the calendar year in which the certification is issued plus 2 additional calendar years, expiring on December 31st. The application for certification shall be made in writing to the Director, on forms available from the Director ~~or the local county~~

~~agricultural extension adviser's office and be accompanied by payment of a \$10 license fee in the years preceding the year 2001. During the years 2001, 2002, 2003, 2004, 2005, and 2006, the private pesticide applicator license fee shall be \$15. During the years 2007 through 2010, the private pesticide applicator license fee shall be \$20. For the years 2011 through 2023, the private pesticide applicator license fee shall be \$30. For the years 2024 through 2025 and thereafter, the private pesticide applicator license fee shall be \$60. For the year 2026 and for each year thereafter, the private pesticide applicator license fee shall be \$90.~~ A private pesticide applicator shall be assessed a fee of \$5 for a duplicate license or license transfer. Such application shall include:

- A. The full name of the applicant.
- B. The mailing address of the applicant.
- C. The documents required as evidence of competence and knowledge regarding the use of pesticides.

~~Certification, as a private pesticide applicator, issued by the Director shall be valid for a period prescribed by regulation.~~ The Director shall develop regulatory standards to ensure that certified private pesticide applicators continue to meet the requirements of a changing technology and assure a continued level of competence and ability.

(Source: P.A. 103-441, eff. 1-1-24.)

(415 ILCS 60/11.1) (from Ch. 5, par. 811.1)

Sec. 11.1. Commercial not-for-hire license. No commercial not-for-hire applicator shall use or supervise the use of any pesticide without a license issued by the Director. ~~For the years 2011 through 2017, the commercial not for hire pesticide applicator license fee shall be \$20. For the years 2018 through 2023, the fee for a multi year commercial not for hire pesticide applicator license is \$60.~~ For the years 2024 through 2025 and thereafter, the fee for a multi-year commercial not-for-hire pesticide applicator license is \$120. For the year 2026 and for each year thereafter, the fee for a multi-year commercial not-for-hire pesticide applicator license is \$180 ~~The late application fee for a public or commercial not-for-hire applicator license shall be \$20 in addition to the normal license fees.~~ A commercial not-for-hire applicator shall be assessed a fee of \$20 ~~\$10~~ for a duplicate license or license transfer.

1. Application for certification as a commercial not-for-hire pesticide applicator shall be made in writing on designated forms available from the Director. Each application shall contain information regarding the qualifications of the applicant, classification of certification being sought, and shall include the following:

- A. The full name of the applicant.
- B. The name of the applicant's employer.
- C. The address at the applicant's place of employment.

D. Any other information prescribed by the Director on the designated form.

2. The Director shall not issue a certification to a commercial not-for-hire pesticide applicator until the individual identified has demonstrated his competence and knowledge regarding pesticide use in accordance with Section 9 of this Act.

3. The Director shall not renew a certification as a commercial not-for-hire pesticide applicator until the applicant reestablishes his qualifications in accordance with Section 9 of this Act or has met other requirements imposed by regulation in order to ensure that the applicant meets the requirements of changing technology and to assure a continued level of competence and ability.

4. (Blank).

5. (Blank).

6. (Blank).

7. Persons applying general use pesticides, approved by the Inter-Agency Committee on the Use of Pesticides, to scrap tires for the control of mosquitoes shall be exempt from the license requirements of this Section.

(Source: P.A. 103-441, eff. 1-1-24.)

(415 ILCS 60/11.5 new)

Sec. 11.5. Operator permit and certified applicator and dealer license renewal.

1. Subject to appropriation, sufficient available education courses, and successful procurement and implementation of any requisite tracking software, certified applicators, licensed operators, or registered pesticide dealers may elect to take education courses or an examination to meet the requirements for the renewal of certifications, licenses, permits, or registrations under this Act.

2. Before renewing a certification, license, permit, or registration under this Act, a certified applicator, licensed operator, or registered pesticide dealer must demonstrate competence and ability in the use of pesticides and an understanding of the requirements of this Act by either (i) successfully completing an examination administered by the Department or its designee every 3 years or (ii) successfully completing 15 hours of Department-approved education courses every 3 years.

3. In approving education courses and the providers of education courses, the Department may consult with other agencies and non-State entities with interests affected by the Act. However, the Department shall have ultimate decision-making authority with respect to the approval of education courses.

A. To be approved by the Department, an education course must be offered by an entity with significant familiarity and understanding of the Act and with pesticide application in Illinois.

B. Presentations or classes advocating for specific products, services, or the sale or use of specific products or services shall not be approved. This restriction shall not apply to courses that are offered by a person subject to this Section and intended to cover the proper use of the person's product, so long as the course provider does not advocate for or attempt to persuade the attendee to use that specific product.

4. Any education course used to meet the requirements for certification, license, permit, or registration renewal shall include all topics, laws, and rules that are contained in the examination for that certification, license, permit, or registration as provided for in the Department's administrative rules.

5. Any person choosing to meet renewal requirements by attending education courses under this Section shall be responsible for tracking the number of hours of education courses completed. Failure to attend the required number of hours of education courses will result in the person having to take the examination.

6. The Department may adopt rules to implement and administer this Section, including administrative rules related to education courses and their content, provider restrictions and requirements, and any related topic that the Department deems necessary or appropriate to implement and maintain the education course program described in this

Section.

(415 ILCS 60/12) (from Ch. 5, par. 812)

Sec. 12. Licensed operator. No pesticide operator shall use any pesticides without a pesticide operator license issued by the Director.

1. Application for an operator license shall be made in writing on designated forms available from the Director. Each application shall contain information regarding the nature of applicants pesticide use, his qualifications, and such other facts as prescribed on the form. The application shall also include the following:

A. The full name of applicant.

B. The address of the applicant.

C. The name of and license/certification number of the pesticide applicator under whom the applicant will work.

2. The Director shall not issue a pesticide operator license until the individual identified has demonstrated his competence and knowledge regarding pesticide use in accordance with Section 9 of this Act.

3. The Director shall not issue an operator license to any person who is unable to provide the name and license/certification number of an applicator under whom the operator will work.

~~4. For the years preceding the year 2001, a licensed commercial operator working for or under the supervision of a~~

~~certified licensed commercial pesticide applicator shall pay an annual fee of \$25. For the years 2001, 2002, and 2003, the annual fee for a commercial operator license is \$30. For the years 2004, 2005, and 2006, the annual fee for a commercial operator license is \$35. For the years 2007 through 2017, the annual fee for a commercial operator license is \$40. For the years 2018 through 2023, the fee for a multi year commercial operator license is \$120. For the years 2024 through 2025 and thereafter, the fee for a multi-year commercial operator license is \$180. For the year 2026 and for each year thereafter, the fee for a multi-year commercial operator license is \$240~~ The late application fee for an operator license shall be \$20 in addition to the normal license fee. A licensed operator shall be assessed a fee of \$20 ~~\$10~~ for a duplicate license or license transfer.

5. ~~For the years 2011 through 2017, the commercial not for hire pesticide operator license fee shall be \$15. For the years 2018 through 2023, the fee for a multi year commercial not for hire pesticide operator license is \$45. For the years 2024 through 2025 and thereafter, the fee for a multi-year commercial not-for-hire pesticide operator license is \$90. For the year 2026 and for each year thereafter, the fee for a multi-year commercial not-for-hire-pesticide operator license is \$150~~ The late application fee for a commercial not-for-hire operator license shall be \$20 in addition to the normal license fee. A commercial not-for-hire operator shall

be assessed a fee of \$15 ~~\$10~~ for a duplicate license.

(Source: P.A. 103-441, eff. 1-1-24.)

(415 ILCS 60/13) (from Ch. 5, par. 813)

Sec. 13. Pesticide dealers. Any pesticide dealer who sells Restricted Use pesticides shall be registered with the Department on forms provided by the Director. Beginning July 1, 2005, any pesticide dealer that sells non-restricted use pesticides for use in the production of an agricultural commodity in containers with a capacity of 2.5 gallons or greater or 10 pounds or greater must also register with the Department on forms provided by the Director. ~~Through 2017, registration shall consist of passing a required examination and payment of a \$100 registration fee. For the years 2018 through 2023, the pesticide dealer registration fee for a multi year registration period is \$300.~~ For the years 2024 through 2025 ~~and thereafter~~, the pesticide dealer registration fee for a multi-year registration period is \$350. For the year 2026 and for each year thereafter, the pesticide dealer registration fee for a multi-year registration period is \$360 ~~The late application fee for a pesticide dealer registration shall be \$20 in addition to the normal pesticide dealer registration fee.~~ A pesticide dealer shall be assessed a fee of \$30 ~~\$10~~ for a duplicate registration or license transfer.

Dealers who hold a Structural Pest Control license with the Illinois Department of Public Health or a Commercial

Applicator's license with the Illinois Department of Agriculture are exempt from the registration fee but must register with the Department.

Each place of business which sells restricted use pesticides or non-restricted pesticides for use in the production of an agricultural commodity in containers with a capacity of 2.5 gallons or greater or 10 pounds or greater shall be considered a separate entity for the purpose of registration.

Registration as a pesticide dealer shall expire on December 31 of the year in which it is to expire. Pesticide dealers shall be certified in accordance with Section 9 of this Act.

The Director may prescribe, by rule, requirements for the registration and testing of any pesticide dealer selling other than restricted use pesticides and such rules shall include the establishment of a registration fee in an amount not to exceed the pesticide dealer registration fee.

The Department may refuse to issue or may suspend the registration of any person who fails to file a return, or to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(Source: P.A. 103-441, eff. 1-1-24.)