



Sen. Jil Tracy

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10300SB1087sam001

LRB103 05522 AWJ 70164 a

1 AMENDMENT TO SENATE BILL 1087

2 AMENDMENT NO. _____. Amend Senate Bill 1087 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Mold Remediation Registration Act is
5 amended by changing Sections 5, 10, 15, 20, and 25 and by
6 adding Section 16 as follows:

7 (410 ILCS 105/5)

8 Sec. 5. Findings. The General Assembly finds that:

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

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

1 remediation in the State.

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

6 (4) Parties providing mold remediation services in
7 residential, public, and commercial buildings in Illinois
8 should be required to register with the State and provide
9 proof of financial responsibility.

10 (5) Laboratories performing tests to confirm mold
11 contamination in buildings should be certified by the
12 American Industrial Hygiene Association using nationally
13 recognized accreditation standards set under the
14 Environmental Microbiology Laboratory Accreditation
15 Program.

16 (6) It is imperative that the citizens of Illinois are
17 aware of the dangers of mold and the need for proper
18 assessment and remediation of indoor environments affected
19 by mold.

20 (Source: P.A. 95-456, eff. 1-1-08.)

21 (410 ILCS 105/10)

22 Sec. 10. Definitions. As used in this Act:

23 "Department" means the Department of Public Health.

24 "Mold" means any form of multicellular fungi found in
25 water-damaged indoor environments or water-damaged building

1 materials. "Mold" includes Cladosporium, Penicillium,
2 Alternaria, Aspergillus, Fusarium, Trichoderma, Memnoniella,
3 Mucor, and Stachybotrys chartarum.

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

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

11 "Third-party certification" means a mold remediation
12 certification offered by the Institute of Inspection Cleaning
13 and Restoration Certification or its successor; the National
14 Organization of Remediators and Microbial Inspectors or its
15 successor; or any other national nonprofit organization that
16 has been approved by the Department.

17 (Source: P.A. 95-456, eff. 1-1-08.)

18 (410 ILCS 105/15)

19 Sec. 15. Reporting requirement. The Department must report
20 to the Environment and Energy Committees of the House of
21 Representatives and the Senate, on an annual basis, concerning
22 the implementation of any federal regulations or State rules
23 that establish:

24 (1) scientific evidence concerning any health effects
25 associated with fungi, bacteria, and their byproducts in

1 indoor environments including any indoor air quality
2 standard; and

3 (2) standards for the training, certification, and
4 licensing of parties providing mold remediation services
5 in residential, public, and commercial buildings.

6 (Source: P.A. 95-456, eff. 1-1-08.)

7 (410 ILCS 105/16 new)

8 Sec. 16. Public awareness campaign. The Department shall,
9 in consultation with appropriate agencies and organizations,
10 establish a public awareness campaign to assist the public in
11 understanding the threat of mold in indoor environments and
12 the importance of removing mold. As part of the campaign, the
13 Department shall:

14 (1) establish, in accordance with rules adopted under
15 this Act, a public awareness campaign on the dangers of
16 mold, as well as the potential toxic compounds that they
17 can emit and produce, and, as part of the campaign,
18 disseminate information via brochures and the Department's
19 website;

20 (2) provide reference to and contact information for
21 organizations or government agencies that can provide the
22 public with information pertaining to the health effects
23 of mold, mold testing methods, or accredited industry
24 standards for the remediation of mold; and

25 (3) perform every 5 years, in accordance with rules

1 adopted under this Act, a review of the technology or
2 treatment techniques for mold identification and
3 remediation that provide additional protections to public
4 health and safety and include, as part of that review, an
5 examination of any new scientific evidence that indicates
6 that mold may present a greater health risk to the public
7 than previously determined.

8 (410 ILCS 105/20)

9 Sec. 20. Rules. The Department shall ~~may~~ adopt rules,
10 under the Illinois Administrative Procedure Act, to implement
11 a program establishing procedures for parties that provide
12 mold remediation services to register with the State and
13 provide evidence of an active third-party certification and
14 evidence of financial responsibility.

15 (Source: P.A. 95-456, eff. 1-1-08.)

16 (410 ILCS 105/25)

17 Sec. 25. Exemptions. The provisions of this Act shall not
18 apply to ~~(i)~~ home builders and remodelers performing work on
19 any residential structure, consisting of 4 or fewer
20 residential units, under the period and terms of the written
21 warranty of that residential structure ~~or (ii) persons~~
22 ~~licensed in accordance with the Structural Pest Control Act.~~

23 (Source: P.A. 95-456, eff. 1-1-08.)".