

SB1524



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1524

Introduced 2/8/2023, by Sen. Laura Ellman

SYNOPSIS AS INTRODUCED:

415 ILCS 65/3

from Ch. 5, par. 853

Amends the Lawn Care Products Application and Notice Act. Requires an applicator for hire to provide a warning that pesticide application may affect nontargeted insects or other animals if not applied correctly.

LRB103 28766 CPF 55149 b

A BILL FOR

1 AN ACT concerning safety.

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

4 Section 5. The Lawn Care Products Application and Notice
5 Act is amended by changing Section 3 as follows:

6 (415 ILCS 65/3) (from Ch. 5, par. 853)

7 Sec. 3. Notification requirements for application of lawn
8 care products.

9 (a) Lawn Markers.

10 (1) Immediately following application of lawn care
11 products to a lawn, other than a golf course, an
12 applicator for hire shall place a lawn marker at the usual
13 point or points of entry.

14 (2) The lawn marker shall consist of a 4 inch by 5 inch
15 sign, vertical or horizontal, attached to the upper
16 portion of a dowel or other supporting device with the
17 bottom of the marker extending no less than 12 inches
18 above the turf.

19 (3) The lawn marker shall be white and lettering on
20 the lawn marker shall be in a contrasting color. The
21 marker shall state on one side, in letters of not less than
22 3/8 inch, the following: "LAWN CARE APPLICATION - STAY OFF
23 GRASS UNTIL DRY - FOR MORE INFORMATION CONTACT: (here

1 shall be inserted the name and business telephone number
2 of the applicator for hire)."

3 (4) The lawn marker shall be removed and discarded by
4 the property owner or resident, or such other person
5 authorized by the property owner or resident, on the day
6 following the application. The lawn marker shall not be
7 removed by any person other than the property owner or
8 resident or person designated by such property owner or
9 resident.

10 (5) For applications to residential properties of 2
11 families or less, the applicator for hire shall be
12 required to place lawn markers at the usual point or
13 points of entry.

14 (6) For applications to residential properties of 2
15 families or more, or for application to other commercial
16 properties, the applicator for hire shall place lawn
17 markers at the usual point or points of entry to the
18 property to provide notice that lawn care products have
19 been applied to the lawn.

20 (b) Notification requirement for application of plant
21 protectants on golf courses.

22 (1) Blanket posting procedure. Each golf course shall
23 post in a conspicuous place or places an all-weather
24 poster or placard stating to users of or visitors to the
25 golf course that from time to time plant protectants are
26 in use and additionally stating that if any questions or

1 concerns arise in relation thereto, the golf course
2 superintendent or his designee should be contacted to
3 supply the information contained in subsection (c) of this
4 Section.

5 (2) The poster or placard shall be prominently
6 displayed in the pro shop, locker rooms and first tee at
7 each golf course.

8 (3) The poster or placard shall be a minimum size of 8
9 1/2 by 11 inches and the lettering shall not be less than
10 1/2 inch.

11 (4) The poster or placard shall read: "PLANT
12 PROTECTANTS ARE PERIODICALLY APPLIED TO THIS GOLF COURSE.
13 IF DESIRED, YOU MAY CONTACT YOUR GOLF COURSE
14 SUPERINTENDENT FOR FURTHER INFORMATION."

15 (c) Information to Customers of Applicators for Hire. At
16 the time of application of lawn care products to a lawn, an
17 applicator for hire shall provide the following information to
18 the customer:

19 (1) The brand name, common name, and scientific name
20 of each lawn care product applied;

21 (2) The type of fertilizer or pesticide contained in
22 the lawn care product applied;

23 (3) The reason for use of each lawn care product
24 applied;

25 (4) The range of concentration of end use product
26 applied to the lawn and amount of material applied;

1 (5) Any special instruction appearing on the label of
2 the lawn care product applicable to the customer's use of
3 the lawn following application;

4 (6) The business name and telephone number of the
5 applicator for hire as well as the name of the person
6 actually applying lawn care products to the lawn; ~~and~~

7 (7) Upon the request of a customer or any person whose
8 property abuts or is adjacent to the property of a
9 customer of an applicator for hire, a copy of the material
10 safety data sheet and approved pesticide registration
11 label for each applied lawn care product; and -

12 (8) A warning that pesticide application may affect
13 nontargeted insects or other animals if not applied
14 correctly.

15 (d) Prior notification of application to lawn. In the case
16 of all lawns other than golf courses:

17 (1) Any neighbor whose property abuts or is adjacent
18 to the property of a customer of an applicator for hire may
19 receive prior notification of an application by contacting
20 the applicator for hire and providing his name, address
21 and telephone number.

22 (2) At least the day before a scheduled application,
23 an applicator for hire shall provide notification to a
24 person who has requested notification pursuant to
25 paragraph (1) of this subsection (d), such notification to
26 be made in writing, in person or by telephone, disclosing

1 the date and approximate time of day of application.

2 (3) In the event that an applicator for hire is unable
3 to provide prior notification to a neighbor whose property
4 abuts or is adjacent to the property because of the
5 absence or inaccessibility of the individual, at the time
6 of application to a customer's lawn, the applicator for
7 hire shall leave a written notice at the residence of the
8 person requesting notification, which shall provide the
9 information specified in paragraph (2) of this subsection

10 (d).

11 (e) Prior notification of application to golf courses.

12 (1) Any landlord or resident with property that abuts
13 or is adjacent to a golf course may receive prior
14 notification of an application of lawn care products or
15 plant protectants, or both, by contacting the golf course
16 superintendent and providing his name, address and
17 telephone number.

18 (2) At least the day before a scheduled application of
19 lawn care products or plant protectants, or both, the golf
20 course superintendent shall provide notification to any
21 person who has requested notification pursuant to
22 paragraph (1) of this subsection (e), such notification to
23 be made in writing, in person or by telephone, disclosing
24 the date and approximate time of day of application.

25 (3) In the event that the golf course superintendent
26 is unable to provide prior notification to a landlord or

1 resident because of the absence or inaccessibility, at the
2 time of application, of the landlord or resident, the golf
3 course superintendent shall leave a written notice with
4 the landlord or at the residence which shall provide the
5 information specified in paragraph (2) of this subsection
6 (e).

7 (f) Notification for applications of pesticides to day
8 care center grounds other than day care center structures and
9 school grounds other than school structures.

10 (1) The owner or operator of a day care center must
11 either (i) maintain a registry of parents and guardians of
12 children in his or her care who have registered to receive
13 written notification before the application of pesticide
14 to day care center grounds and notify persons on that
15 registry before applying pesticides or having pesticide
16 applied to day care center grounds or (ii) provide written
17 or telephonic notice to all parents and guardians of
18 children in his or her care before applying pesticide or
19 having pesticide applied to day care center grounds.

20 (2) School districts must either (i) maintain a
21 registry of parents and guardians of students who have
22 registered to receive written or telephonic notification
23 before the application of pesticide to school grounds and
24 notify persons on that list before applying pesticide or
25 having pesticide applied to school grounds or (ii) provide
26 written or telephonic notification to all parents and

1 guardians of students before applying pesticide or having
2 pesticide applied to school grounds.

3 (3) Written notification required under item (1) or
4 (2) of subsection (f) of this Section may be included in
5 newsletters, calendars, or other correspondence currently
6 published by the school district, but posting on a
7 bulletin board is not sufficient. The written or
8 telephonic notification must be given at least 4 business
9 days before application of the pesticide and should
10 identify the intended date of the application of the
11 pesticide and the name and telephone contact number for
12 the school personnel responsible for the pesticide
13 application program or, in the case of a day care center,
14 the owner or operator of the day care center. Prior notice
15 shall not be required if there is imminent threat to
16 health or property. If such a situation arises, the
17 appropriate school personnel or, in the case of a day care
18 center, the owner or operator of the day care center must
19 sign a statement describing the circumstances that gave
20 rise to the health threat and ensure that written or
21 telephonic notice is provided as soon as practicable.

22 (Source: P.A. 96-424, eff. 8-13-09.)