

1 AMENDMENT TO HOUSE BILL 548

2 AMENDMENT NO. _____. Amend House Bill 548, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Pesticide Act is amended by
6 changing Section 24 as follows:

7 (415 ILCS 60/24) (from Ch. 5, par. 824)

8 Sec. 24. Criminal Penalties.

9 (a) ~~1-~~ Except as otherwise provided in this Section, any
10 person violating any provisions of this Act or regulations
11 adopted thereunder is shall--be guilty of a Class A
12 misdemeanor with a fine of not less than \$5,000.

13 (b) A retailer convicted of distributing or selling a
14 pesticide that has never been registered with or for which
15 the registration has been cancelled or suspended by the
16 United States Environmental Protection Agency shall be guilty
17 of a Class A misdemeanor with a fine of not less than \$5,000.
18 A retailer convicted of a second or subsequent violation of
19 distributing or selling a pesticide that has never been
20 registered with or for which the registration has been
21 cancelled or suspended by the United States Environmental
22 Protection Agency shall be guilty of a Class 4 felony. For

1 the purposes of this Section, "retailer" means a person who
2 transfers ownership of or title to pesticides to a purchaser
3 for use and who is not certified under the Structural Pest
4 Control Act.

5 (c) A wholesaler who distributes or sells a pesticide
6 that has never been registered with or for which the
7 registration has been cancelled or suspended by the United
8 States Environmental Protection Agency shall be guilty of a
9 Class 4 felony for a first offense and shall be guilty of a
10 Class 3 felony for a second or subsequent offense. For the
11 purposes of this Section, "wholesaler" means a person who
12 sells or distributes pesticides to a retailer.

13 (Source: P.A. 85-177.)

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