



Rep. Karen May

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LRB097 15945 JDS 66292 a

1 AMENDMENT TO HOUSE BILL 4030

2 AMENDMENT NO. _____. Amend House Bill 4030 by replacing
3 everything after the enacting clause with the following:

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 applicator
12 for hire shall place a lawn marker at the usual point or
13 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 portion
16 of a dowel or other supporting device with the bottom of

1 the marker extending no less than 12 inches above the turf.

2 (3) The lawn marker shall be white and lettering on the
3 lawn marker shall be in a contrasting color. The marker
4 shall state on one side, in letters of not less than 3/8
5 inch, the following: "LAWN CARE APPLICATION - STAY OFF
6 GRASS UNTIL DRY - FOR MORE INFORMATION CONTACT: (here shall
7 be inserted the name and business telephone number of the
8 applicator for hire)."

9 (4) The lawn marker shall be removed and discarded by
10 the property owner or resident, or such other person
11 authorized by the property owner or resident, on the day
12 following the application. The lawn marker shall not be
13 removed by any person other than the property owner or
14 resident or person designated by such property owner or
15 resident.

16 (5) For applications to residential properties of 2
17 families or less, the applicator for hire shall be required
18 to place lawn markers at the usual point or points of
19 entry.

20 (6) For applications to residential properties of 2
21 families or more, or for application to other commercial
22 properties, the applicator for hire shall place lawn
23 markers at the usual point or points of entry to the
24 property to provide notice that lawn care products have
25 been applied to the lawn.

26 (b) Notification requirement for application of plant

1 protectants on golf courses.

2 (1) Blanket posting procedure. Each golf course shall
3 post in a conspicuous place or places an all-weather poster
4 or placard stating to users of or visitors to the golf
5 course that from time to time plant protectants are in use
6 and additionally stating that if any questions or concerns
7 arise in relation thereto, the golf course superintendent
8 or his designee should be contacted to supply the
9 information contained in subsection (c) of this Section.

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

13 (3) The poster or placard shall be a minimum size of 8
14 1/2 by 11 inches and the lettering shall not be less than
15 1/2 inch.

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

20 (c) Information to Customers of Applicators for Hire. At
21 the time of application of lawn care products to a lawn, an
22 applicator for hire shall provide the following information to
23 the customer:

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

26 (2) The type of fertilizer or pesticide contained in

1 the lawn care product applied;

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

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

6 (5) Any special instruction appearing on the label of
7 the lawn care product applicable to the customer's use of
8 the lawn following application;

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

12 (7) Upon the request of a customer or any person whose
13 property abuts or is adjacent to the property of a customer
14 of an applicator for hire, a copy of the material safety
15 data sheet and approved pesticide registration label for
16 each applied lawn care product.

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

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

24 (2) At least the day before a scheduled application, an
25 applicator for hire shall provide notification to a person
26 who has requested notification pursuant to paragraph (1) of

1 this subsection (d), such notification to be made in
2 writing, in person, or by telephone or any other electronic
3 means, disclosing the date and approximate time of day of
4 application.

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

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

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

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

1 electronic means, disclosing the date and approximate time
2 of day of application.

3 (3) In the event that the golf course superintendent is
4 unable to provide prior notification to a landlord or
5 resident because of the absence or inaccessibility, at the
6 time of application, of the landlord or resident, the golf
7 course superintendent shall leave a written notice with the
8 landlord or at the residence which shall provide the
9 information specified in paragraph (2) of this subsection
10 (e).

11 (f) Notification for applications of pesticides to day care
12 center grounds other than day care center structures and school
13 grounds other than school structures.

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

24 (2) School districts must either (i) maintain a
25 registry of parents and guardians of students who have
26 registered to receive written or telephonic notification

1 before the application of pesticide to school grounds and
2 notify persons on that list before applying pesticide or
3 having pesticide applied to school grounds or (ii) provide
4 written or telephonic notification to all parents and
5 guardians of students before applying pesticide or having
6 pesticide applied to school grounds.

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

1 (g) Notification of application on park property other than
2 golf courses.

3 (1) Each park district must: (i) maintain a registry of
4 persons who are residents of the park district who have
5 registered to receive written notification before a
6 pesticide is applied to park district property other than a
7 golf course and (ii) provide written notification to those
8 persons on that registry before applying a pesticide on
9 that property.

10 (2) The written notification required under item (1)
11 may be included in newsletters, calendars, or other
12 correspondence or provided electronically, but posting on
13 a bulletin board is not sufficient. The written
14 notification must be given at least 4 business days before
15 application of the pesticide and should identify the
16 intended date of the application and the name and telephone
17 contact number of the person who is responsible for the
18 application program. Prior notice shall not be required if
19 there is imminent threat to health or property. If such a
20 situation arises, the person who is responsible for the
21 application program must sign a statement describing the
22 circumstances that gave rise to the health threat and
23 ensure that written notice is provided to persons on the
24 registry as soon as is practical.

25 (h) Schools, park districts, and the owners and operators
26 of day care centers are encouraged to publicize the

1 availability of the registries required under this Section.

2 (i) Schools, park districts, and the owners and operators
3 of a day care center may require, by written contract or
4 agreement, an applicator for hire to provide any notice
5 required under this Section. If a school, park district, or
6 owner and operator of a day care center requires an applicator
7 for hire to provide any notice required under this Section as
8 evidenced by a written contract or agreement, the applicator
9 for hire, and not the school, park district, or owner or
10 operator of the day care center, shall be responsible for any
11 failure to provide that notice.

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

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