



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4476

Introduced 1/17/2024, by Rep. Nabeela Syed

SYNOPSIS AS INTRODUCED:

410 ILCS 105/5
410 ILCS 105/10
410 ILCS 105/15
410 ILCS 105/16 new
410 ILCS 105/20
410 ILCS 105/25

Amends the Mold Remediation Registration Act. Provides that the Department of Public Health shall establish a public awareness campaign to assist the public in understanding the threat and importance of removing mold from indoor environments. Provides requirements for the Department to follow regarding the campaign. Defines terms. Provides that the Department must report, annually, to the Environment and Energy Committees of the House of Representatives and the Senate concerning the implementation of any federal regulations or State rules (instead of federal regulations) that establish scientific evidence concerning the health effects of mold and its byproducts on the training, certification, and licensing of parties providing mold remediation services. Provides that the Department shall (instead of may) adopt rules to implement a program establishing procedures for parties that provide mold remediation services to register with the State and provide evidence of an active third-party certification and evidence of financial responsibility (instead of only provide evidence of financial responsibility). Removes language exempting from the provisions of the Act persons licensed under the Structural Pest Control Act.

LRB103 36190 JAG 66282 b

1 AN ACT concerning health.

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

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
17 remediation in the State.

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

22 (4) Parties providing mold remediation services in
23 residential, public, and commercial buildings in Illinois

1 should be required to register with the State and provide
2 proof of financial responsibility.

3 (5) Laboratories performing tests to confirm mold
4 contamination in buildings should be certified by the
5 American Industrial Hygiene Association using nationally
6 recognized accreditation standards set under the
7 Environmental Microbiology Laboratory Accreditation
8 Program.

9 (6) It is imperative that the citizens of Illinois are
10 aware of the dangers of mold and the need for proper
11 assessment and remediation.

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

13 (410 ILCS 105/10)

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

15 "Department" means the Department of Public Health.

16 "Mold" means any form of multi-cellular fungi in indoor
17 environments, including Cladosporium, penicillium,
18 alternaria, aspergillus, fusarium, Trichoderma, memnoniella,
19 mucor, and stachybotrys chartarum, often found in
20 water-damaged indoor environments and building materials.

21 "Mold remediation" means the removal, cleaning,
22 sanitizing, demolition, or other treatment, including
23 preventive activities, of mold or mold-containment matter in
24 buildings.

25 "Preventative activities" include those intended to

1 prevent future mold contamination of a remediated area,
2 including applying biocides or anti-microbial compounds.

3 "Third-party certification" means a mold remediation
4 certification offered by the Institute of Inspection Cleaning
5 and Restoration Certification, or its successor entity; the
6 National Organization of Remediators and Microbial Inspectors,
7 or its successor entity; or any other national nonprofit
8 organization that has been approved by the Department.

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

10 (410 ILCS 105/15)

11 Sec. 15. Reporting requirement. The Department must report
12 to the Environment and Energy Committees of the House of
13 Representatives and the Senate, on an annual basis, concerning
14 the implementation of any federal regulations or State rules
15 that establish:

16 (1) scientific evidence concerning any health effects
17 associated with fungi, bacteria, and their byproducts in
18 indoor environments including any indoor air quality
19 standard; and

20 (2) standards for the training, certification, and
21 licensing of parties providing mold remediation services
22 in residential, public, and commercial buildings.

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

24 (410 ILCS 105/16 new)

1 Sec. 16. Public awareness campaign. The Department shall,
2 in consultation with appropriate agencies and organizations,
3 establish a public awareness campaign to assist the public in
4 understanding the threat of mold in indoor environments and
5 the importance of removing mold. As part of the campaign, the
6 Department shall:

7 (1) Establish a public awareness campaign on the
8 dangers of mold, as well as the potential toxic compounds
9 that they can emit and produce, in accordance with the
10 rules adopted under this Act. As part of the campaign, the
11 Department shall disseminate information via brochures and
12 the Department's website.

13 (2) Provide reference to and contact information for
14 organizations or government agencies that can provide the
15 public with information pertaining to the health effects
16 of mold, testing methods, or accredited industry standards
17 for the remediation of mold.

18 (3) Every 5 years, review technology or treatment
19 techniques for mold identification and remediation that
20 provide additional protections to public health and
21 safety. The review shall be performed in accordance with
22 rules adopted under this Section and include an
23 examination of any new scientific evidence that indicates
24 that mold may present a greater health risk to the public
25 than previously determined.

1 (410 ILCS 105/20)

2 Sec. 20. Rules. The Department shall ~~may~~ adopt rules,
3 under the Illinois Administrative Procedure Act, to implement
4 a program establishing procedures for parties that provide
5 mold remediation services to register with the State and
6 provide evidence of an active third-party certification and
7 evidence of financial responsibility.

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

9 (410 ILCS 105/25)

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

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