

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 of indoor environments affected  
12 by mold.

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

14 (410 ILCS 105/10)

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

16 "Department" means the Department of Public Health.

17 "Mold" means any form of multicellular fungi found in  
18 water-damaged indoor environments or water-damaged building  
19 materials. "Mold" includes Cladosporium, Penicillium,  
20 Alternaria, Aspergillus, Fusarium, Trichoderma, Memnoniella,  
21 Mucor, and Stachybotrys chartarum.

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

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

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

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

11 (410 ILCS 105/15)

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

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

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

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

1 (410 ILCS 105/16 new)

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

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

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

19 (3) perform every 5 years, in accordance with rules  
20 adopted under this Act, a review of the technology or  
21 treatment techniques for mold identification and  
22 remediation that provide additional protections to public  
23 health and safety and include, as part of that review, an  
24 examination of any new scientific evidence that indicates  
25 that mold may present a greater health risk to the public  
26 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.)