1   AN ACT concerning radon.

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

4   Section 5. The Radon Industry Licensing Act is amended
5   by changing Sections 20 and 35 as follows:

6   (420 ILCS 44/20)
7   Sec. 20. General powers.
8   (a) The Department may undertake projects to determine
9   whether and to what extent radon and radon progeny are
10 present in dwellings and other buildings, to determine to
11 what extent their presence constitutes a risk to public
12 health, and to determine what measures are effective in
13 reducing and preventing the risk to public health.
14   (b) In addition to other powers granted under this Act,
15 the Department is authorized to:
16   (1) Establish a program for measuring radon or
17   radon progeny in dwellings and other buildings.
18   (2) Conduct surveys and studies in cooperation with
19   the Department of Natural Resources and the Department of
20   Public   Health   to   determine   the distribution and
21   concentration of radon or radon progeny in dwellings and
22   other buildings and the associated health risk and to
23   evaluate measures that may be used to mitigate a present
24   or potential health risk.
25   (3) Enter into dwellings and other buildings with
26   the consent of the owner or occupant to engage in
27   monitoring activities or to conduct remedial action
28   studies or programs.
29   (4) Enter into contracts for projects undertaken
30   pursuant to subsection (a).
31   (5) Enter into agreements with other departments,

1   agencies, and subdivisions of the federal government, the
2   State, and units of local government to implement this
3   Act.
4   (6) Establish training and educational programs.
5   (7) Apply for, accept, and use grants or other
6   financial assistance and accept and use gifts of money or
7   property to implement this Act.
8   (8) Provide technical assistance to persons and to
9   other   State   departments,   agencies,   political
10   subdivisions, units of local government, and school
11   districts.
12   (9) Prescribe forms for application for licensure.
13   (10) Establish   the   minimum qualifications for
14   licensure, including requirements for examinations or
15   performance testing, and issue licenses to persons found
16   to be qualified.
17   (10.5) Investigate any unlicensed activity.
18   (11) Conduct hearings or proceedings to revoke,
19   suspend, or refuse to issue or renew a license, or assess
20   civil penalties.
21   (12) Adopt   rules   for   the   administration and
22   enforcement of this Act.
23   (13) Establish by rule the application and
24   inspection fees for the licensing program.
25 (Source: P.A. 90-262, eff. 7-30-97.)

26   (420 ILCS 44/35)
27   Sec. 35. Penalties.
28   (a) A person required to be licensed under Section 25 of
29 this Act who sells a device or performs a service without
30 being properly licensed under this Act shall, in addition to
31 any other penalty provided by law, pay a civil penalty to the
32 Department in an amount not to exceed $5,000, for each
33 offense, as determined by the Department.   Any   person

1   assessed a civil penalty under this Section shall be afforded

2   an opportunity for hearing in accordance with Department

3   regulations prior to final action by the Department. The

4   civil penalty must be paid within 30 days after the order

5   becomes a final and binding administrative determination.

6   (b) A person who violates a provision of this Act shall

7   be guilty of a business offense and shall be fined not less

8   than $500 nor more than $1,000 for the first offense and

9   shall be guilty of a Class A misdemeanor for a subsequent

10   offense. Each day that a violation continues constitutes a

11   separate offense. A licensed radon contractor found guilty

12   of a violation of a provision of this Act shall automatically

13   have his or her license terminated by the Department.

14   (Source: P.A. 90-262, eff. 7-30-97.)

15   Section 99. Effective date. This Act takes effect upon

16   becoming law.