

AN ACT concerning health.

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

Section 5. The Mold Remediation Registration Act is amended by changing Sections 5, 10, 15, 20, and 25 and by adding Section 16 as follows:

(410 ILCS 105/5)

Sec. 5. Findings. The General Assembly finds that:

(1) Excessive indoor dampness in buildings is a widespread problem that warrants action at the local, State, and national levels.

(2) Because of the public's concern about the possible public health effects of exposure to mold in buildings, as well as the effects on workers performing remediation work, and the costs of remediation for the property owner, there is a need to identify parties performing mold remediation in the State.

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

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

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

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

(6) It is imperative that the citizens of Illinois are aware of the dangers of mold and the need for proper assessment and remediation of indoor environments affected by mold.

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

(410 ILCS 105/10)

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

"Department" means the Department of Public Health.

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

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

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

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

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

(410 ILCS 105/15)

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

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

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

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

(410 ILCS 105/16 new)

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

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

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

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

(410 ILCS 105/20)

Sec. 20. Rules. The Department shall ~~may~~ adopt rules, under the Illinois Administrative Procedure Act, 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.

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

(410 ILCS 105/25)

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

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