



Illinois Fertilizer & Chemical Association

14171 Carole Drive, Bloomington, IL 61705 • PH: (309) 827-2774 • Fax: (309) 827-2779 • www.ifca.com

Legislation IFCA is Tracking for the 2020 Spring Session

Last Friday, February 14, was the deadline for bills to be introduced in the Illinois Senate and House. Below are bills that have the most impact on the ag input industry. IFCA is actively meeting with the bill sponsors on these pieces of legislation. Next week, IFCA will provide a full list of bills we are watching this session in "IFCA News Under the Dome." If you have immediate questions please contact KJ Johnson at (217) 369-1669 or kj@ifca.com

PESTICIDE BILLS

Pesticide Penalties Bill --- SB2507 and HB4971

Amends the Illinois Pesticide Act. Increases administrative penalties based on stated ranges of total violation points. Provides that beginning January 1, 2021 and each January 1 thereafter, the amounts of administrative penalties shall be adjusted by the Department of Agriculture based on the annual change in the Consumer Price Index. Requires the updated penalty amounts to be made available to the public on the Department's website.

[IFCA Opposes SB2507 and HB4971](#)

Pesticide Application Around Schools --- SB2932

Amends the Illinois Pesticide Act. Provides that, no later than January 1, 2022, the Department of Agriculture shall develop a drift monitoring study to evaluate pesticide drift at 3 schools within the State and shall submit a report of its findings and recommendations to the General Assembly no later than January 1, 2023. Repeals the provisions regarding the drift monitoring study on January 1, 2024. Provides that it is unlawful to apply a restricted use pesticide on or within 500 feet of a school property during normal hours, except for whole structure fumigation, unless the pesticide application information listed on the pesticide label is more restrictive, in which case the more restrictive provision shall apply. Directs the Department of Public Health to adopt rules necessary to implement the restriction. Defines "normal school hours". ***[IFCA is Monitoring SB2932 and visiting with the Bill Sponsor to better determine the issues that led to introduction of this bill.](#)***

Applicator to Notify Beekeeper of Pesticide Application --- SB2943

Amends the Environmental Protection Act. Provides that a pesticide applicator shall notify a beekeeper if the pesticide is applied within 3 miles of the beekeeper's colony registered with the Department of Agriculture under the Bees and Apiaries Act. ***[IFCA Opposes to SB29943](#)***

Chlorpyrifos Ban --- HB5608

Amends the Environmental Protection Act. Provides that, on or before December 31, 2020, the Agency shall propose, and shall adopt, rules banning all use of the pesticide chlorpyrifos. ***[IFCA Opposes HB5608](#)***

NUTRIENT BILLS

Anhydrous Ammonia Training for Farmers --- HB5172

Amends the Illinois Fertilizer Act of 1961. Requires the Department of Agriculture to develop and implement a farmer training program for the safe handling of anhydrous ammonia. Provides that a grower must complete the training program before using anhydrous ammonia. Provides that upon completion of the training program, a grower shall be designated a certified competent attendant and provided with documentation attesting to his or her completion of the training program. Allows growers to complete equivalent training programs that have been approved by the Department. Requires anhydrous ammonia training every 3 years. Provides for the adoption of rules. Defines terms. [***IFCA Supports HB5172***](#)

Phosphorous Soil Testing on Livestock Waste --- SB2998

Provides that livestock waste may continue to be applied to the soil if the average Bray P1 or Mehlich test result for soil phosphorous is 70 pounds (rather than 300 pounds) or less of elemental phosphorous per acre. Provides further that if the test result for soil phosphorous for an application field is greater than 70 pounds (rather than 300 pounds) of elemental phosphorous per acre, the owner or operator shall apply livestock waste until the test results indicate that there is less than 70 pounds (rather than 300 pounds) of elemental phosphorous per acre. States that the Illinois Department of Agriculture may reduce the application field to less than 70 pounds (rather than 300 pounds) of elemental phosphorous per acre in any county if the Department determines that this change is necessary to protect local waterways. [***IFCA is Monitoring SB2998***](#)

Wetland Protection Bill --- SB3447

Amends the Interagency Wetland Policy Act of 1989. Sets forth that State agencies shall avoid adverse impacts to unprotected wetlands by requiring the issuance of a license signed by the Director of the Department of Natural Resources and authenticated by the seal thereof. Provides that State agencies shall work to prevent or reduce overall net loss of the State's existing wetland acres or their functional value due to State-licensed activities. Adds the definitions of "unprotected wetland", "protective county program", and "nonprohibited discharge of dredged fill or materials" to the Act. Creates the State Wetland Conservation Fund. Provides that the Department of Natural Resources shall grant a license for certain activities in unprotected wetlands to applicants who pay a fee per acre of wetland to be adversely impacted by such activities. Provides that the fee shall be progressive and based on the quality of the wetland or wetlands to be adversely impacted. Provides that revenues raised from the fees shall be placed in the State Wetland Conservation Fund. Makes a corresponding change in the State Finance Act. [***IFCA Opposes SB3447***](#)

Nutrient Loss Reduction Funding --- SB3462

Changes the name of the Partners for Conservation Fund to the Partners for Nutrient Loss Reduction Fund and makes conforming changes throughout the Act. Provides that moneys in the Fund may be used to implement the State's Nutrient Loss Reduction Strategy, including funding for specified needs. Provides that the State Comptroller shall automatically transfer moneys to the Fund through June 30, 2026 (currently, 2021). Provides that the amount of moneys transferred from 2021 through 2026 (currently, only for 2021) shall be \$35,075,000 (currently, \$14,000,000). Specifies amounts and uses for moneys to be used by the Fund through specified years.

[***IFCA Supports SB3462***](#)

OTHER BILLS

Weights and Measures Act / Continuing Education --- SB3448

Amends the Weights and Measures Act. Provides continuing education requirements for persons registered to install, service, recondition, or repair a weighing or measuring devices used in trade or commerce. Provides for phase-in process to apply continuing education requirements for persons currently registered to install, service, recondition, or repair a weighing or measuring devices used in trade or commerce. Changes the annual registration fee for servicepersons and special sealers in years in which the continuing education course must be

completed. Provides that applications and reports shall be filed in a manner prescribed by the Director of Agriculture (currently, in writing). Defines "continuing education course". [IFCA Supports SB3448](#)

Environmental Justice --- HB4606

Creates an environmental justice program to ensure enhanced public outreach procedures for permitting actions that affect areas of environmental justice concern. Requires the Environmental Protection Agency adopt rules within one year of the amendatory Act's effective date that implement the program and are consistent with the findings presented. [IFCA Opposes HB4606](#)



**Illinois Fertilizer &
Chemical Association**
Supply • Service • Stewardship

Representing the Agricultural Input Industry