



Illinois Fertilizer & Chemical Association's "News Under the Dome"



Calendar Info

- NH3 Spring Safety Classes, March 1-15, 2021.
- 2021 MAGIE Show, Aug 25-26, 2021.
- IFCA Convention and Trade Show Jan 18-21, 2022

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Legislation IFCA is Tracking for the 2021 Spring Session

March 1 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 reaching out to bill sponsors on these pieces of legislation. The Illinois General Assembly at least through April will be doing committee hearings online and not in-person. There is some talk that the Senate and House will come back to in-person session in May. IFCA will be actively working the phones to make sure our voice is heard on these important legislative issues.

Pesticide Legislation

Pollinator Protection --- HB3357

Provides that between 8 a.m. and 6 p.m., a commercial applicator shall not apply to blooming crops pesticides labeled as toxic to bees when the commercial applicator is located within one mile of a registered apiary. Provides that a commercial applicator shall be responsible for maintaining the one mile distance from apiaries that are registered and listed on the sensitive crop registry on the first day of each month. Provides that: a commercial applicator must notify the registrant in writing at least 24 hours prior to application as to date and time of application in case there is a need to move the hives; the commercial applicator shall provide upon request a copy of the label for the products being applied; and this same type of protection should be applied to all specialty crops.

IFCA Opposes HB3357

Glyphosate Ban --- HB3370

Provides that no person shall distribute, sell, offer for sale, or use glyphosate or any products containing glyphosate within Illinois. **IFCA Opposes HB3370**



Pyrethroid Pesticides to be Applied by Only Commercial Applicators --- HB3118

Provides that a pyrethroid pesticide may only be applied by a commercial applicator for commercial or residential use if evidence-based model of application complying with specified requirements is used. Requires IDOA to adopt rules creating a process meeting specified requirements for the licensure of commercial applicators for residential treatment of pyrethroid pesticides. **IFCA Opposes HB3118**

Pesticide Penalties Bill --- SB2108

Amends the Illinois Pesticide Act. Adds and changes monetary penalties for specified amounts of violation points. Provides that beginning on January 1, 2022, and every January 1 thereafter, the monetary penalties shall automatically be increased or decreased by a percentage equal to the percentage change in a specified document during the preceding 12-month calendar year. Provides that the updated monetary penalties resulting from each annual adjustment shall be made available to the public via the Department of Agriculture's official website on or before January 1 of the calendar year for which the new monetary penalties apply. Provides point values for exposure to a pesticide which resulted in herbaceous plants and woody perennial plants (rather than plants) or property showing signs of damage. Defines "herbaceous plant" and "woody perennial plant". [***IFCA Opposes SB2108***](#)

Banning Neonicotinoid Pesticides on State of Illinois Lands --- HB3429

Amends the Illinois Pesticide Act. Authorizes the Director of the Department of Agriculture to classify a pesticide as a restricted use pesticide. Includes pesticides containing a neonicotinoid as a restricted use pesticide. Defines "neonicotinoid". Provides that no pesticide containing a neonicotinoid may be used outdoors on any public land owned or maintained by the State, except for use in structural pest control or abatement of Emerald Ash Borer. [***IFCA Opposes HB3429***](#)



Pesticide Application Around Schools --- SB2245

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 to adopt rules necessary to implement the restriction. Defines "normal school hours". [***IFCA is Monitoring SB2245 and visiting with the bill sponsor to better determine the issues that led to introduction of this bill.***](#)

Pretreated Seed Ban in Ethanol Production --- HB1847

Bans the use of pretreated seeds in the production of ethanol. [*IFCA is Monitoring HB1847*](#)

Fertilizer Legislation

Nutrient Loss Reduction Funding --- SB2474 / HB1792

Creates the Illinois Partners for Nutrient Loss Reduction Act. Provides legislative findings. Amends the State Finance Act. Provides that moneys in the Partners for Conservation Fund and the Partners for Conservation Projects 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 Partners for Conservation Fund through June 30, 2027 (currently, 2021). Specifies the amount of moneys transferred to the Fund from 2022 through 2027 (currently, only for 2021). Specifies amounts and uses for moneys to be used by the Fund through specified years. Provides specified amounts to be transferred from the General Revenue Fund into the Partners for Conservation Fund for each year of 2022 through 2027. Provides that for years 2022 through 2027 funding from the Partners for Conservation Fund shall be provided to the Environmental Protection Agency, the Department of Agriculture, and the Department of Natural Resources annually in specified amounts and for specified uses. [*IFCA Supports SB2474 / HB1792*](#)

Wetland Protection Bill --- SB1972

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. 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. [*IFCA Opposes SB1972*](#)

Other Legislation

Weights and Measures Act / Sealing Devices --- HB2620

Amends the Weights and Measures Act. Provides that all weighing or measuring devices must be placed into service and sealed before they are first used in trade by a serviceperson, service agency, or special sealer registered by the Director or by an inspector. Provides that on any device whose sole method of sealing is an audit trail, event counter, or similar system, a tamper evident label shall be affixed to the device that includes the sealer's registration number as issued by the Director and the most recent count or counts listed in the audit trail, event counter, or similar system. Provides that these counts shall also be entered on all placed in-service reports and any test reports where calibration counts were changed from the beginning of testing. Moves provisions and makes other changes concerning sealing and resealing. [*IFCA Opposes HB2620*](#)

Weights and Measures Act / Continuing Education --- HB2621

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 HB2621



Environmental Justice --- HB2767

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 HB2767

Property Taxes on Commercial Property --- HB860

The bill forces commercial property owners to disclose certain financial information to the county assessor's office about a building's income. This would enable the county assessor to get more information to help accurately calculate its value for the tax assessment purposes. **IFCA Opposes HB860**

Trailer Weight Tax --- HB636

Amends the Illinois Vehicle Code. Reduces the trailer flat weight tax for maximum loads of 3,000 pounds and less from \$118 to \$18. **IFCA Supports HB636**

Repealing the Estate Tax --- HB1921

Amends the Illinois Estate and Generation-Skipping Transfer Tax Act. Provides that no tax shall be imposed under the Act for persons dying on or after the effective date of the amendatory Act or for transfers made on or after the effective date of the amendatory Act. **IFCA Supports HB1921**

Freight Train Length --- HB2524

Amends the Illinois Commercial Transportation Law of the Illinois Vehicle Code. Provides that no railroad operating within this State on any main line or any other line shall operate, or permit to be operated, any train that exceeds 8,500 feet in length.

[IFCA is Monitoring HB2524](#)



Digital Fair Repair Act --- HB3061

Creates the “Digital Fair Repair Act”. Provides that original equipment manufacturers shall: make available to any independent repair provider or owner of equipment manufactured by the original equipment manufacturer the same diagnostic and repair documentation in the same manner as that information is made available to the manufacturer's authorized repair providers and make available for purchase by the owner or an authorized agent, or any independent repair provider parts. Requires manufacturers to make parts, tools, and documentation available when digital equipment is under an express warranty.

[IFCA is Monitoring HB3061](#)

Transfer of Programs from IDOT to ISP --- SB1882

The bill would move the IDOT Bureau of Investigation and Compliance, enforcement of the Illinois Hazardous Materials Transportation Act and its accompanying Federal Funding under the oversight of the Illinois State Police. [IFCA is Monitoring SB1882](#)